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COAST GUARD ACTIVITIES

HEARINGS

BEFORE THE

COMMITTEE OF COMMERCE, SCIENCE, AND TRANSPORTATION UNITED STATES SENATE

NINETY-EIGHTH CONGRESS

SECOND SESSION

ON

COAST GUARD SEARCH AND RESCUE ACTIVITIES AND RESPONSE TO OILSPILL IMPACT

JANUARY 11 AND 12, 1984

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COAST GUARD SEARCH AND RESCUE ACTIVITIES

WEDNESDAY, JANUARY 11, 1984

U.S. SENATE,
COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION,
Coos Bay, Oreg.

The committee met, pursuant to notice, at 10 a.m., in room 1, Eden Hall, Southwest Oregon Community College, Coos Bay, Oreg., Hon. Bob Packwood (chairman of the committee) presiding.

Staff members assigned to these hearings: Peter Friedmann, staff counsel, Chuck Harwood, staff counsel; and James Drewry, minority staff counsel.

OPENING STATEMENT BY THE CHAIRMAN

The CHAIRMAN. The committee will come to order.

This is an official meeting of the Senate Commerce Committee. This reporter is taking notes, and all of the statements will be placed in the record in their entirety.

For the sake of all the witnesses, I would hope those who have written statements could put them in the record and abbreviate their comments. Don't just read from your statements which will be in the record.

In any event, I might explain the session in terms of the Coast Guard budget and Presidential request and the significance on the coast.

The Commerce Committee has jurisdiction over the Coast Guard, so far, and with great help from the Senior Democrat on the committee, Senator Hollings of South Carolina, we have each year been able to raise the authorized level of the Coast Guard slightly above that requested by the President. There is a limit to how far we can go on that, however, because, if we raise it too far, the President may choose to veto the budget as being too far over his request. And his veto will be sustained.

And, in that case, we're not arguing the case between his figure or our figure; we're arguing the case between his figure or nothing.

I think that the Coast Guard provides us more for our money than any other Government agency I deal with. They get more out of the Reserves and they get more out of their auxiliary than any other military or nonmilitary agency. If I could, I would increase their budget, not just for search and rescue but for general functions, farther than I have been able to. But, again with the help of Senator Hollings, we have had very good success in at least getting

their requests or what we think are legitimate requests up to a reasonable level. That is the way the process works.

We'll have evidence today on search and rescue, but I cannot, even with Senator Hollings' help, get all of the money for all of the Coast Guard stations and all of the personnel and helicopters that everyone would want. We'll do the best we can and simply say the Coast Guard does the best it can with limited resources.

I'd like to start today by calling Admiral Parker. Admiral Parker is the commander of the 13th Coast Guard District, headquartered in Seattle, but including Oregon in that jurisdiction. He has been most cooperative with me in dealing with Oregon Coast Guard problems since he took over this command last February. He came down here specifically at my request and has spent some time meeting with some of you who will be testifying here today and will be testifying tomorrow in Newport. I think he has with him Captain Blackburn.

Welcome.

STATEMENT OF ADM. HAROLD W. PARKER, JR., COMMANDER, 13TH COAST GUARD DISTRICT, SEATTLE, WASH., ACCOMPANIED BY CAPT. PAUL RUSSELL, CHIEF, OFFICE OF SEARCH AND RESCUE; COMDR. RICHARD FRANKS, CHIEF, MARINE ENVIRONMENTAL PROTECTION BRANCH; AND CAPT. ROBERT F. BLACKBURN, COMMANDER, COAST GUARD GROUP NORTH BEND, COOS BAY, OREG.

Admiral PARKER. Thank you, Mr. Chairman, and good morning.

I am Rear Adm. Harold Parker, commander of the 13th Coast Guard District comprised of Oregon, Washington, Idaho, and Montana and some 76,000 square miles of the Pacific Ocean. I am delighted to be here today and testify before you regarding the Coast Guard and our search-and-rescue mission here in Oregon.

Before I begin, sir, I would like to introduce some of the other Coast Guard personnel here with me today. I brought Capt. Paul Russell, chief of the 13th Coast Guard District, Seattle, Wash., and Capt. Robert Blackburn, commanding officer of Group North Bend, and Comdrs., Richard Franks, chief of the Environmental Protection Branch, 13th Coast Guard District, Seattle.

With your indulgence, sir, Captain Blackburn, who commands the several stations of my North Bend Group, will make a statement at the conclusion of my testimony concerning SAR activities along this section of the Oregon coast.

The CHAIRMAN. That's fine.

Admiral PARKER. Mr. Chairman, let me preface my testimony by saying the Coast Guard has long had a vital search-and-rescue mission here in the Northwest. The Oregon coast is both a blessing and a curse to those who go to sea: a blessing in that, until recently, there has been bountiful fish stocks to harvest, beautiful protected harbors for the boats, and lovely communities like this one to live in; a curse because weather conditions here are unrivaled for severity. Sudden, unexpected storms rip through this area wreaking havoc.

Two months ago we saw how quickly a disaster can strike when the Panamanian-flag *Blue Magpie* went onto the North Jetty and

broke up at Yaquina Bay during a severe November storm. Captain Blackburn will talk in more detail about Air Station North Bend's role in the dramatic rescue of the 19 Korean sailors who were aboard.

But whether it's a major freighter aground, a trawler disabled offshore, or a 16-foot pleasure craft afire in the bay, we handle all cases the same: When lives or property are in danger, the Coast Guard responds. And let me comment here, Mr. Chairman, when someone calls the Coast Guard at 3 o'clock in the morning, they don't get a recording.

Last year my district handled 2,405 cases just on the Oregon coast. This overhead projection will show you how the major cases were distributed for the last 3 fiscal years [indicating].

[Projected slides are presented.]

I could offer this for the record if you want to review it later.

The red dots——

The CHAIRMAN. Hold on a second. I wonder if we can turn the television lights off because the map is hard to see.

[Whereupon, the lights are dimmed.]

Admiral PARKER. As I said, the red dots are of the fiscal year 1981, the green, fiscal year 1982, and the blue, fiscal year 1983. Those are the major cases.

You will notice the majority of cases are grouped around the river entrances. And the coast is a long one, sir.

Let me just show you the southern part of Oregon and the continuation of the projection [indicating].

The obvious reason is because of the great density of boats in these harbor areas. But a second reason is the treacherous bars.

Because transiting a bar is inherently dangerous, the Coast Guard has designed a number of boats over the years to work in these conditions. Among these fine craft are our 52- and 44-foot motor lifeboats, which were designed specifically for the Northwest. They can handle huge seas; many times these boats have capsized in the surf, righted themselves, and continued on their mission.

The Coast Guard now has a new 30-foot surfboat in the inventory to cope with the bars. The new 30 footers can maintain speeds up to 30 knots. So, rather than pounding through the surf, the 30 footer picks its way across a bar, using its speed to find the lulls. These boats were also specifically designed for the Northwest and are deployed all along this coat for the protection of mariners in distress.

Of course, it is nót just our boats and cutters that perform resuces. People along the coast are familiar with the critical role our helicopters perform in search and rescue and how often the pilots and crews go in harm's way.

Many here today will recall Capt. Frank Olson, the former commanding officer of Air Station North Bend. Captain Olson was the gallant officer who lost his life doing the rescue attempt of three persons from the fishing vessel *Christina J* in November 1981. It was a dramatic reminder, when we drove in to this hearing today, to see the hulk of the helicopter, in which Captain Olson lost his life.

I know you have an interest, Mr. Chairman, in two part-time search-and-rescue stations we maintain here on the southern coast. The one immediately south of here, Coquille River Station at the Port of Bandon, was in operation last year from July 23 to September 6. During that period, four search-and-rescue cases were logged, three of which were not time-critical. The fourth was a beach drowning for which the appropriate Coast Guard response was a helicopter.

The CHAIRMAN. Go through those figures again. Those are very important. Give me the dates——

Admiral PARKER. July 23, sir, until September 6.

The CHAIRMAN. And, during that roughly 1½ month period, there were how many?

Admiral PARKER. Four.

The CHAIRMAN. Of which, one was a beach drowning?

Admiral PARKER. A beach drowning. And then we sent a helicopter.

During 1982, the patrol was manned from July 10 to September 6, and the cases logged at Coquille were 13.

In 1981, the patrol was manned from July 1 to September 5 with 22 cases.

Response time for a helicopter from North Bend to Coquille is approximately 25 minutes. The 30-foot surfboat can be on scene in 45 minutes.

I realize the economy, currently paucity of fish, the El Nino phenomenon and other factors that will change affect this decrease in marine activity but, quite frankly, Mr. Chairman, I would be hard-pressed to try and justify any increase in Coast Guard presence at Coquille. If the current situation there does not pick up—and I hope it does—then we should review the need for the Coast Guard boat at Coquille.

Our other summer patrol station at Rouge River handled 33 cases last summer. The caseload here justifies a motor lifeboat on scene during the summer months.

We closely monitor search-and-rescue statistics at both of these summer stations, Mr. Chairman, and I would be ready to support any future recommendations to you with hard facts and data.

We have new aircraft coming on line. Two Falcon jets are not stationed at Air Station Astoria, Oreg., for law enforcement missions and search-and-rescue missions. These jets have a cruising speed of 400 knots and can be on a scene in a faction of the time it would take a helicopter or a cutter, and can render assistance by dropping pumps or other needed supplies to vessels in distress; but, most importantly, they will significantly reduce the search portion of search and rescus. And, the sooner we find, the sooner we rescue.

Also, in the near future we will be replacing the HH-52 helicopters such as the ones stationed here at Air Station North Bend and the HH-3 helicopters with Aerospatiale Dauphin II, the HH-65. This helicopter will be quantum leap in technology for Coast Guard rotary wing aviation.

So I can report to you, sir, our current search and rescue posture in Oregon is looking good now and in the immediate future.

And I thank you, Mr. Chairman, for your help and your leadership in the Senate to assure the Coast Guard may continue to perform this most vital mission by getting the equipment needed.

Mr. Chairman, I know that people here in North Bend share your interest in the status of the Coast Guard cutter *Citrus.*

The CHAIRMAN. I was going to ask you that question. Can you give me some assurance that, for at least the foreseeable future, the *Citrus* is going to remain here?

Admiral PARKER. May I answer your question right now?

The CHAIRMAN. Yes.

Admiral PARKER. Knowing your interest in this, as late as Monday of this week, the day before yesterday, I called the Chief of the Office of Operations, Admiral Venzke, in Washington, D.C., to make sure that there were no plans afoot for the Coast Guard cutter, *Citrus.*

I assure you there are no plans to either decommission or to move the Coast Guard cutter, *Citrus,* at this point.

The CHAIRMAN. That's the best news you could bring us this morning.

Admiral PARKER. *Citrus* is a converted 180-foot buoy tender launched in 1941. She is now in service as a medium-endurance cutter with her buoy-handling gear removed. She handles offshore law enforcement missions, as well as search and rescue, and can stay at sea in excess of 2 weeks.

There is obviously a need for cutter patrols along the coast of the Pacific Northwest.

Mr. Chairman, I have been testifying on search and rescue with specific attention on the SAR-dedicated facilities along the Oregon coast—facilities such as helicopters, motor lifeboats, jet aircraft, and medium-endurance cutters. But I would be remiss in my treatment of this subject if I failed to emphasize the Coast Guard is and always has been a multimission service. Because of this, I think American taxpayers get more bang for their buck out of us than any other government agency. I know you share that view.

For example, I have not even addressed the capability of the three buoy tenders in the Columbia River based in Astoria and Portland.

If they are working buoys and a rescue case comes up, you can bet they stop what they are doing and proceed.

We live by our motto, "Semper Paratus"; "Always Ready."

Another multimission example is the Coast Guard cutter *Sagebrush,* an 180-foot buoy tender. It is currently on scene in the Caribbean off the island of Grenada in charge of coastal security and acting as squadron commander for a group of Coast Guard 82-foot patrol boats. This is a national security mission and serves to demonstrate our flexibility and the fact we are one of America's five armed forces.

Let met conclude my testimony, Mr. Chairman, by comparing coastguardsmen to a multipurpose powerpack: Change the attachment, and the same power unit can saw wood, pump water, drill holes, mix paint—any number of things; change the order to a Coast Guard unit, it can rescue mariners, clean up oil, arrest drug smugglers, work buoys, blockade a harbor—any number of things. More bang for the buck, sir.

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I thank you, Mr. Chairman, for the opportunity to testify today. I hope my remarks have been responsive to your concerns about Coast Guard search and rescue activities here in Oregon. I will be happy to answer any questions you may have and, if I don't have the information readily at hand, I shall provide it to your staff as soon as possible for the record.

The CHAIRMAN. Let me compliment you again on the two things that you mentioned in your testimony. One is the use of your Reserves. I have been at all of your stations—some of them numerous times—and how you manage to so well integrate your Reserves into the actual operation of the station ought to be a hallmark for the other military services in terms of the use of Reserves. Those people are fully trained to step in on a moment's notice and take over a full-time task. And I don't need to tell this group or you how much money can literally be saved in military spending if you can utilize the Reserves the way you do.

The other is the very harmonious way the auxiliary, all of these people with their own boats, are integrated with your search-and-rescue missions and work with harmony rather than acrimony. And that is not always true with some branches of the Government. And you are to be complimented.

Let me ask you this general question. Looking at your budget for this district, tell me the thought process you go through as to where you're going to locate a full-time operation or a part-time operation like Bandon. What are the factors in your mind that you have to consider in making that decision?

Admiral PARKER. Those decisions are made back in Washington—where we're going to put new stations—Mr. Chairman. We have a computer program there in which we can enter such information as the number of boats, number of people, number of cases, anticipated growth. Based on that determines the priority of where we would be establishing new stations or decommissioning stations. Some stations have been decreased, as is the case——

The CHAIRMAN. Or the station, keep it open 4 months rather than 3 months? Same type of factors?

Admiral PARKER. Yes. We look at that. And we monitor very carefully. We don't like to jump too fast because of biases that will come to bear in a certain locale that will be temporary. So we don't jump into these things.

Speaking of Bandon, we've seen it decrease from 22 to 13 to 4 in the search-and-rescue cases. We have no intention to stop that Coquille River patrol next year, but we will continue to watch it before we make any change, let me assure you.

The CHAIRMAN. Do you attribute the decline in the search-and-rescue cases as simply a decline in the recreational boats, the fishing fleet there, just less activity, better caution, or what?

Admiral PARKER. I think it's a decline in the boating—both sport fishing and recreational boating.

I just came from the Office of Boating Safety 10 months ago. I was stationed 3 years ago back in Washington, D.C. I kept a very close eye on that. And I saw the number of recreational boats going down.

However, the last year, in going to the boat shows around the country—the big boat shows in New York, Chicago, other large

east coast shows—I could almost detect a euphoria, if you will, on the part of the dealers and the manufacturers as they sense the economy coming back and sense an increase in their sales. And it was a real good feeling.

And I know that there is a change here. Like anything else, it will go up and down. And the fishing here; we know that there is a fishing problem on the coast here with the numbers of fish, not just the economy.

I was at a fisheries meeting at Boise, Idaho, and I heard witness after witness appear, talking about the paucity of fish. The reasons? I'm not a fisherman, sir; I don't know the reasons. But they are not there.

The CHAIRMAN. Well, there are innumerable reasons given, all of which can't be right, as to the decline of the fish.

I have no other questions.

Did you say that Captain Blackburn had a statement?

Admiral PARKER. Yes, sir. Captain Blackburn has some remarks he'd like to present.

The CHAIRMAN. Go right ahead.

Captain BLACKBURN. Good morning, Mr. Chairman. I'm pleased to appear before you today to address the subject of search and rescue here on the Oregon coast.

Group North Bend is the largest operational organization in the 13th Coast Guard District. Its area extends from the Oregon/California l der northward about 200 miles to Pacific City.

It's composed of a group office, which is located with the air station here in North Bend, six lifeboat stations, one at Chetco River, Coos Bay, Umpqua River, Siuslaw River, Yaquina Bay, and Depoe Bay, and also an electronics shop, a minor telephone repair facility and aids to navigation team.

The group, as the Admiral has indicated, has operated summer patrols at the mouth of the Rogue and the Coquille River entrances.

The operating resources I have at my disposal are 34 small boats, three HH–52 helicopters, and over 300 men and women.

The Admiral has also indicated the unique phenomenon, the natural phenomenon primarily responsible for why we're here on the Oregon coast: the existence of extremely hazardous river entrance bars. These areas can be subject to fierce surf conditions during ebbtides when outgoing channel water meets incoming waves. The breakers created are flat-faced waves of water sometimes exceeding 20 feet in height and moving landward in excess of 20 knots. Few vessels are capable of standing the forces of these waves.

Compounding the problem is the fact that these breakers are nearly invisible when moving from seaward. And the flat face of the wave only becomes apparent after entering the bar. Because any vessels entering a port within my group cross the river bar, most of our prime critical rescues occur on the eight bars located within Group North Bend.

Our SAR cases occur within the marine environment but, since most of our coastal area is inaccessible by land vehicles, many of our missions, particularly in these mountain ranges to the south and along the Oregon Dunes, involve injured loggers, overdue aircraft, dune buggy accidents, and remote automobile accidents.

Unique characteristics of our helicopter make it ideal for these types of situations. As a result, inland SAR accounted for 25 percent of our air station caseload in 1983.

The weather here along the coast is also an important factor in the discussion of our SAR missions. Along with the breaking bars and large seas, we must also contend with extremely high winds, driving rain, and dense fog—which any Oregonian is used to by this time.

All of these conditions tend to complicate mission accomplishment.

And of particular importance is the persons involved in the local maritime mishaps in the cold water of the Pacific Ocean. It's an average 55°F. Fahrenheit. And the survival time for a person unprotected in these waters is just 15 minutes.

Along with locating the resources I mentioned earlier at or near the river bars, the Coast Guard has developed several pieces of service equipment primarily for the use on this coast, even though similar equipment has been placed in other parts of the United States. This is the 52-foot motor lifeboats, the 44-foot motor lifeboats, and the 30-foot surf rescue boat, the newest addition to our inventory.

I think that you would concur with me that the real workhorse of this group is the 44-foot motor lifeboat. It's self-righting and self-baling and operates within about a 50-mile radius of our home station.

The two 52-foot motor lifeboats—one is located here in Coos Bay and the other in Newport—have similar capacities as the 44-footers, along with better towing capability and a longer range.

The 30-foot rescue boat is a fast-response, short-rescue or short-range rescue vehicle. While not specifically designed for the Northwest coast, our helicopters at North Bend are the racehorse and can respond to any point in the group within approximately 1 hour or less, weather permitting.

The number of our SAR cases has diminished over the last few years.

In 1979, our caseload peaked at 2,877. The economic recession contributed to the reduction in recreational boating and commercial fishing has been on a steady decline, which has resulted in 1983 being our record low year for search and rescue within the group with only 1,686 cases.

Mr. Chairman, the response posture of Group North Bend I think is best illustrated by a recent mission. On the evening of November 19, 1983, the motor vessel *Blue Magpie* slammed on the north jetty of Yaquina Bay at Newport. The bar had breaking seas 16- to 18-feet high. Winds were 40 knots, gusting, and the visibility was 1 mile or less. An hour after the vessel had notified the Coast Guard that it had gone aground, all 19 members of the ship had been hoisted to safety by one of our North Bend helicopters.

While I believe this particular mission involved extraordinary skill on the part of our aircrew, it's another indication of the readiness and level of training for our important mission here.

Mr. Chairman, this concludes my prepared remarks. I welcome any questions you may have now.

The CHAIRMAN. Captain, I have no questions except this: For the record, will you give us your flying time with your helicopter if you are going down to cover Bandon from here—you come from here—from the time of notice?

Captain BLACKBURN. Twenty-five minutes.

The CHAIRMAN. Twenty-five minutes. And you had four calls there last summer, one of which was a beach drowning?

Captain BLACKBURN. Yes, sir.

The CHAIRMAN. I have no other questions.

Admiral, Captain, thank you very much for coming down. I'll see you a little bit later.

We'll take Frank Martin, executive director of the International Port of Coos Bay, accompanied by Larry Ivy, the harbor master.

STATEMENT OF FRANK MARTIN, EXECUTIVE DIRECTOR, OREGON INTERNATIONAL PORT OF COOS BAY, COOS BAY, OREG., ACCOMPANIED BY LARRY IVY, HARBOR MASTER, PORT OF COOS BAY; AND JOHN MOHR, DEPUTY GENERAL MANAGER

Mr. MARTIN. Senator, I kind of wish I was up first. That's sort of a tough act to follow.

I'd also like to acknowledge the fact that we have two elected Port commissioners here. Commissioner Higgins and Commissioner Jakovac took time from their schedules to be here.

I appreciate being afforded the opportunity to talk with you this morning and to submit for the record testimony that I will abbreviate here because of the number of speakers this morning.

On my left is the deputy general manager of the port, Mr. John Mohr, and on my right is the harbor master, Mr. Larry Ivy.

Mr. Ivy is probably one of the most experienced and knowledgeable harbor masters on the Pacific coast. In addition to that, he is a Reserve officer in the Coast Guard.

The Coast Guard has been very successful in a very good training program, in their Reserve program as well as the auxiliary. But we support that effort for the port.

We are charged with the awesome responsibility of the port as the principal economic development thrust of this community, which has been beset by a host of serious problems related to the livelihoods of many people in the community, from the deterioration of the woods products industry to the depletion of the fishing industry here. The port has been thrust into a position, in a very short period of time, of trying to develop as many resources as possible and to create job opportunities for utilizing port lands, as well as the facilities of the deepwater access port that we have here.

The port here, of course, is the largest sheltered bay for recreational, commercial, and industrial use on the Oregon coast. And we are presently averaging in the port approximately 40 vessels per month, which carry a variety of products from general cargo and wood products to roll-on/rolloff vessels and also patrol vessels that are coming to the port.

Our experience, of course, with the fishing community has been quite extensive. The fact is that we operate one of the larger boat ports in the State and on the Pacific coast. And our total complement is now between 800 and 1,000, depending on the season, of

recreational as well as commercial fishing vessels, utilizing that facility. The boat port, of course, maintains a boat launch in the marina complex that has its peak use during the summer months, which puts an additional burden on the air- and sea-rescue service at that particular time.

Beginning April 15, of course, the port serves as the home port for many of our sister ports along the Pacific coast for shrimp vessels from Westport, Wash., to Eureka, Calif. Of course in June, when the migratory salmon fleet is centered off Coos Bay, the fishing, commercial fishing interest peaks at that particular time, as well.

Due to the increased demands on the port for service by these users, as well as the recent addition and complement to the Charleston small boat basin complex, we are now dredging, going from 16 feet to 17 feet, which will be the deepest commercial boat basin on the Oregon coast—that through the efforts of your office, Senator. And I want to acknowledge that today. And of course you were there the day we dedicated the facility several months ago. This will be a giant step toward additional service for the fishing community, as well as economic development for the community.

We are very close, of course, to the Coast Guard search and rescue system here because not only of its physical location, but because of our need to develop a dialog and a joint service plan. The system here is now presently averaging between 3 and 400 calls per year. We certainly appreciate the commitment of the Admiral this morning relative to the continuity of service from the carrier *Citrus*. And we appreciate the efforts of your office, Senator, and you were personally involved in giving that a high priority.

If this port is to be merged and to survive—and, hopefully, when I say survive, that we will be one of the ports left in the year 2000, because most ports, of the 220 port authorities in the United States, by the year 2000 will be down to around 75 or 80, in my humble professional opinion, due to the tremendous cost of dredging and the pending user fee designation by this administration and future administration.

In order for us to do that, of course, an integral part of that will be the ability to service vessels that are coming here, not only commercial vessels—deepwater vessels—but also small craft.

In the statement that we had prepared for the record, we would like to go on record, Senator, saying that we feel, professionally, that the service that we are receiving at the present time is adequate; that it is a service that cannot be deleted at this particular time; and that we are in the process of working with the Coast Guard on the future plans for the deployment of newer vessels.

We realize that the life expectancy of helicopters and cutters, service vessels, is limited, and we hope that this port will be able to serve the Coast Guard's needs of the future with the newer vessels that will be coming toward the year 1990. And, for the first time in history, I believe this community is prepared to commit substantial dollars to the physical construction of a facility that would accommodate those larger vessels. And that, truly, would be a whole service center for the Coast Guard in perpetuity.

We have no complaints about the Coast Guard service here. We have nothing but compliments. The actions that the commander re-

lated to the *Magpie* incident can only be commended. The only thing I can probably say, as a layman, is the fact that those people sincerely risked their lives in the overloading of that helicopter. But no one lost their life there, on a very difficult decision, in a driving rain.

And this community, as a whole, vitally needs this kind of continuity of service. And the port, itself, salutes the efforts of the Coast Guard. And we are here today to hopefully express our deep appreciation to the service and to your office. And I don't mean to say that, if we had any criticism, we wouldn't sit back and say it. But we appreciate the commitment of the admiral. We look forward to working with him on a plan for increased service and to provide these facilities in the future, as well.

That concludes my prepared testimony.

Mr. Mohr, who is our expert down at the port administration and Mr. Ivy, who is our harbor master, will be happy to answer any questions on the port.

The CHAIRMAN. I will direct them to you—I have a few—and you can have either of them answer.

I was here, of course, not only at the Charleston event but also when we got the drydock. And I was curious as to how your shipbuilding activities were going along; one, ship repair; and, two, are you getting Coast Guard work? There was a time in the past when we had a very difficult time getting Coast Guard work here.

Mr. IVY. Yes.

Mr. MARTIN. We're getting good cooperation from the Coast Guard. As a matter of fact, the cutter *Citrus* just went through a major restoration of, I think, in the amount of approximately $300,000. And that work was done by local people working on that, through the efforts of Midcoast Marine. And that was done on the drydock. A lot of that work was done on the drydock.

I might also point out that several of the other ports across the country are now copying the model of this port, insofar as utilizing surplus equipment that needed restoration, involving the private sector, and making that a worthwhile contribution to their particular communities, as we have done here.

We are also working very closely with Sous Brothers, Midcoast Marine on the new tractor tugs that are being let out by the U.S. Government. And those will be going to some of the smaller firms. And we feel fairly confident about the amount of work we've done and the capacity that we now have to place here in port—that we can attract that business here.

I believe in the last year, now, we've had four contracts—wasn't it, John?

Mr. MOHR. Yes.

We have been very successful, our community has been very successful in bidding the Coast Guard work. And, without the efforts of you and your staff, we're quite sure that these, the community to bid, let alone getting the actual job, would not have been available to us.

We're very pleased with your efforts. We would hope that you would be able to extend some of your efforts in getting Coast Guard vessels also to the same, a similar situation that currently exists with NOA in the servicing of their vessels. Currently the NOA is

operating under the same rules that previously hindered the bidding process to Aeries Light on Coos Bay.

Mr. MARTIN. We would also like, Senator, because of the merits of what we've done here and the need of the justification for the document, of course, that we would like to pursue also a larger facility to complement the present drydock that we have. There will be three larger facilities that will be coming on line as surpluses in the next 3 years. And we hope to be aggressive in trying to attract that for this community.

The CHAIRMAN. Let me compliment you on understanding both what this port can do and what it can't do. For years I used to find a pessimism on different areas of the Oregon coast: "Oh, it can't be done," or "It was great in the old days when the sailing ships could go up the river."

And the Port of Coos Bay specifically has stressed the fact that it is one of the three or four natural harbors on the Pacific coast—not just Oregon.

But, on the other hand, you are not likely to get a crack at repairing the aircraft carrier *Enterprise,* and, therefore, you have targeted what you can do and what you can't do. You have aimed high but not unrealistically. And what you have achieved in the last 3 or 4 years has been dramatic and the optimum of what can be done.

Mr. MARTIN. Yes; we're getting a lot of good support from the community. As I said earlier when I started my remarks, the situation, we view it as very critical here in the community. The State government looks upon the port as—and rightly so—their greatest asset that this overall South coast community has: The emergence of this beautiful, deepwater complex into what it should be, beginning, in the real world today, with the model boat center.

And Seattle and Long Beach and, to some extent the Port of Portland, have millions of dollars of the major, through the rail carriers. The Port of Long Beach and Port of Seattle and Port of Portland have Burlington Northern. But, in the real world, we have set our sights on realistic goals: for construction of offshore mining equipment, drilling platforms, the emergence of Government cargo that we are now certified to deal with.

And last month the Department of Agriculture, for the first time, certified this port for the movement of Government cargo—training will be conducted in Kansas City—to move Oregon goods, especially Oregon goods through the emergence of the foreign trade.

So between the two and the deepwater complex here, we think those are realistic. And those are not a waste of time. They are not a waste of money. And the few times that we have to come and ask for your assistance, we hope that they won't be in areas that are not realistic in scope.

The CHAIRMAN. Let me ask you a question—and, again, Larry or John, if you know the answer in addition, fine. But how is my other favorite project, the T-dock? What kinds of success are you having with it?

Mr. MARTIN. The T-dock, of course, is one of the North Spit developments—overall development. I was somewhat astounded when I was at the International Port of Chicago. And when I viewed the

North Spit project, I found it a very ambitious project. As I said earlier, it would be ambitious for the large city of New York. The city of Los Angeles would view it as ambitious, let alone a mom and pop port here in Coos Bay.

Certainly the T-dock has gone a long way so far as providing a service facility for the fishing industry here and also a point for future development of the North Spit.

As a matter of fact, just last week we approved a $4.5 million industrial revenue bond in that area—in close proximity, immediately adjacent to the T-dock. And we view that facility as the cornerstone of the development of the North Spit. And, without that place, we would not be able to comply or develop the other lands and areas as part of our overall development in that particular project.

Mr. MOHR. I'd like to add to that. Currently the Port of Coos Bay is involved with the Dave Atkinson Co., the oldest construction company in the United States. Atkinson is very much involved in bidding for the offshore oil trade in the Alaskan market to produce the arctic drilling platforms.

Had we not, here in Coos Bay, had the T-dock, we would have been unable to position ourselves to bid on these jobs.

We're looking at up to 400 new jobs in this area and, actually, the beginning of an entirely new industry here that is very much job-intensive and capital-intensive. Without that T-dock, I would like to reiterate, we would not have gotten the consideration from the Atkinson people.

And I'd like to offer a note of thanks to you, Senator, for your personal intervention in getting that T-dock out on North Spit so we now have an opportunity in the future in th oil industry.

The CHAIRMAN. Let me direct a question to Larry, because I know your background. In fact, I first met you, if I recall, when you were involved in that fishing net problem and the compensation we were able to get. You know the argument that is raised by the ports that only have part-time Coast Guard coverage, the chicken-and-egg argument, and "If we simply had more coverage than more boaters would be attracted there" or, conversely, "They are not going to come there because there is no Coast Guard coverage."

You come at this from a long experience in both the active and net fishing industry and now as a harbor master. Give me your judgment on it. Is it an absolute negative for a port—just talking about recreational boating or very light commercial fishing, is it a definite negative that there is not at that port, at the mouth of that river or close to it, a Coast Guard operation? Or is it adequate to say, "A helicopter can be here in 25 minutes"?

Mr. IVY. I believe, Senator, in the case of the Coquille River—and it's my experience after 12 years of fishing up and down the coast—the bar entrance is very hazardous. It's narrow. There is a reef just to the south of it. That is the primary, the main reason for lack of activity in that harbor, as far as port and commercial, the commercial fleet. And I fished off that port, used that harbor in the heyday of the salmon.

In fact, 5 years ago, in the 1970's, when there was a tremendous salmon fleet, salmon resource, that harbor was used to duck into

on very calm days to replenish bait, maybe offload a few fish at one receiving station they had there.

As the salmon resources diminished, the harbor hasn't been used. The commercial fishermen, even in the summer are not going in there.

The CHAIRMAN. In a nutshell, Larry, what you're saying is it's a tough passage. Whether or not there is a Coast Guard station located there, some commercial fishermen, some recreational boaters are going to choose another port? But, can't that argument cut both ways, Larry? Doesn't the fact that the passage is tough, mean good Coast Guard coverage is needed?

Mr. IVY. When you look at the fact that 20, 30 miles by road, you have a big harbor with all the recreation in the bay, as well as in the ocean, some people are going to choose to come to a harbor such as this one versus going to a smaller river with a more dangerous bar crossing. The Coast Guard responds to caseload. If there is use of the river down there, if in the future they develop that type of use down there that would warrant Coast Guard coverage, then the Coast Guard would be there.

As it is now, with, 15 to 25 minutes away, the helicopter coverage, which is adequate—the newer, 30-foot, high-speed boats can make that trip in 30 minutes in the bar here—25 minutes; 44-footers—45 minutes has been the testimony—is adequate coverage for the amount of traffic on that river.

The CHAIRMAN. With the opening of the new boat basin in Bandon, the increased use warranting more Coast Guard coverage that you were talking about, Larry, could well occur. So the tough bar justifies local Coast Guard coverage at least part of the year, and as more people take advantage of the new facilities, the Coast Guard will have to decide whether more people will be needed. Thank you, gentlemen. I have no other questions.

Once more, congratulations on very wisely assessing the potential of this area and attempting to build to that potential.

Mr. MARTIN. Thank you.

Mr. IVY. Thank you.

The CHAIRMAN. We thank you.

[The following information was subsequently received for the record:]

OREGON INTERNATIONAL PORT OF COOS BAY,
Coos Bay, Oreg., January 25, 1984.

Senator BOB PACKWOOD,
Portland, Oreg.

DEAR SENATOR PACKWOOD: The limited time the Oregon International Port of Coos Bay had to testify on the important subject of Search and Rescue did not allow us to mention a related and equally important subject. I would like to make you aware of an important project and change in attitude exhibited by the National Weather Service in the past two or three years.

Through efforts and initiative of the National Weather Service, the Port of Coos Bay has equipped and operated a Marine Weather Reporting Station. This station gathers data from tow boat and commercial fishing boat operators as they travel and work along the Oregon Coast. This critical on-the-scene weather information is telecast to the weather station office in Portland. This project has been funded and equipped through grants from Oregon State University with the National Weather Service. Mariners are receiving more reliable reports because of this program.

In the 15 years that I made a living on the ocean and my past 2 years at the Port of Coos Bay, I have never seen a degree of concern and willingness to improve the

forecasting service that is exhibited by the National Weather Service through this MAREP program.

This program is second only to the Coast Guard with the ability to prevent loss of life at sea. The Port of Coos Bay appreciates the concern shown by the Portland Weather Office and the other offices that we have dealt with in making this work.

I would appreciate this being included in our testimony, if you feel that it is appropriate.

Very truly,

FRANK G. MARTIN, Jr.,
General Manager.

The CHAIRMAN. We'll now take Fred Burdick, past flotilla commander of the Coast Guard Auxiliary.

I might say that, if there are others who have statements they would like in the record, we will put them in. You don't have to testify. A number of people have handed me statements, just given them to me. And they will be placed in the record.

Go right ahead, sir.

STATEMENT OF FRED F. BURDICK, PAST FLOTILLA COMMANDER, COAST GUARD AUXILIARY, NORTH BEND, OREG.

Mr. BURDICK. Good morning, Senator. I appreciate the oportunity to talk here.

I didn't realize my name had such an impact. I see I've cleared out half the room.

The CHAIRMAN. You don't want to feel bad. I won't tell you which town it was on the Oregon coast, but years ago when I was in the legislature, I was speaking to about 20 people at lunch. And they had a volunteer fire department. The bell rang, and 14 of the people left. I discovered later only four belonged to the volunteer fire department.

Mr. BURDICK. Well, as you said, I am the past flotilla commander of the local auxiliary in Coos Bay. And as you are probably aware, title 14, section 822 of the United States Code is what brought the auxiliary into existence. We are there to promote safety and effect rescues over and on the high seas and navigable waters. And we promote efficiency in the operation of boats and yachts. We are to foster a wider knowledge of and better compliance with the laws, rules, and regulations in the operation of motorboats and yachts. And we are to facilitate other operations for the Coast Guard.

The CHAIRMAN. I might say for the record the auxiliary provides about 25 percent of the search and rescue efforts oJ the Coast Guard. This in not an insignificant factor. And the fact that the Coast Guard and the auxiliary are working together. It is providing its own boats. And the Coast Guard provides them fuel and help.

But it is a tremendous adjunct for the Coast Guard. And it's a very significant part of their search and rescue.

Mr. BURDICK. Today we wanted to address mainly the fourth cornerstone of operations. And the term "operations" reflects the military background of the auxiliary parent organization.

For the Coast Guard Auxiliary, the operations are wide and broad and far-covering and have a nonmilitary aspect. Our operations are demanding activities where qualified auxiliarists may use their knowledge, skills, and their facilities in an active and satisfying manner.

At the start of World War II, there was 5,000 auxiliarists with 4,000 vessels. They had a ready-cut mission: To supply various opportunities to support the war effort.

By the 1950's, the operations program came into its own again, after postwar reductions in the Coast Guard and auxiliary budgets. But in the early 1950's, the operations came back into its own with the auxiliarists and the facilities working side-by-side with the Coast Guard. The auxiliary operations were literally invaluable. The long hours of operational activities are reflected in the statistics of lives and property saved. And only the imagination can fathom the number of accidents prevented by various activities of the auxiliary.

Locally, in 1982, flotilla 51 had eight operational-qualified operators, whereas, in 1983, the flotilla had 15 operational qualified operators. We were providing patrols in 1983 for Station Winchester Bay, Station Yaquina Bay, as well as our normal patrol schedule to Station Coos Bay.

For the past 2 years, the auxiliary flotilla 51 has been handling 20 percent of the SAR work load for Coos Bay. It breaks down into, for the last 2 years, 137 safety patrol missions for 1,480 patrol hour, four regatta patrols for 27 hours, and 48 Coast Guard operational support missions for 483 hours.

The 1982-83 season saw flotilla 51 provide 1,993 hours of safety patrol and operational support missions.

We assisted 390 persons, 129 vessels, for a property value of $1,719,000.

Personnel at flotilla 51 are proud to be members of the U.S. Coast Guard Auxiliary. They are ever ready to support the Coast Guard and serve our community.

And, as Auxiliary National Commodore Martin S. Herz has said, "The U.S. Coast Guard Auxiliary will always be available to serve the pleasure-boating public and will do so until there are zero boating accidents or fatalities."

The main figures for 1983 are not available to me as of yet, but the 1982 figures show basically the same thing that probably transpired in 1983.

As you said, 25 to 30 percent of the search and rescue program was provided by the auxiliary. This provides a great cost saving to the taxpayer and to the Coast Guard.

For example, in 1982, the SAR efforts saved 1,122 lives and a quarter of a billion dollars worth of property was saved. The cost to the Coast Guard was $4.2 million. This calculated out to $18 an hour for an auxiliary facility. By comparison, taking a 44-footer out at $150 an hour, the same time would cost $35 million.

What it boils down to is that, in 1981, the American taxpayers contributed $4.1 million to the Coast Guard Auxiliary program. Through our various programs where we serve the Coast Guard, we were able to return, in services, a value of $44.2 million, which sound like a very good investment.

The CHAIRMAN. I wish a lot of our public works projects had the same cost/benefit ratio.

Mr. BURDICK. So more or less, as I—that's my report, in a condensed version.

The CHAIRMAN. I have no questions.

But, here again, I can say to the audience that this is an example of the intelligent use of Government money, volunteer effort, and intelligent coordination between you and the Coast Guard. And it would be to everybody's benefit to keep it coming.

Mr. BURDICK. I would like to say one thing in closing, sir, and that is, myself, I'm just reflecting what every auxiliarist feels in his heart and what he knows to be true: That the Coast Guard regards us as one of the family and supports us 10,000 percent. And we appreciate that support—Thank you, Admiral Parker.

The CHAIRMAN. Thank you very much.

[The statement follows:]

STATEMENT OF FRED F. BURDICK, IMMEDIATE PAST COMMANDER OF FLOTILLA 51

My name is Fred F. Burdick and I am the Immediate Past Commander of Flotilla 51, of the United States Coast Guard Auxiliary, here in Coos Bay Oregon.

Title 14, Section 822 of the United States Code defines the purpose of the Auxiliary is to assist the Coast Guard:

(1) To promote safety and to effect rescues on and over the high seas and on navigable waters;

(2) To promote efficiency in the operations of motorboats and yachts;

(3) To foster a wider knowledge of, and better compliance with, the laws, rules, and regulations governing the operation of motorboats and yachts, and

(4) To facilitate other operations of the Coast Guard.

These aims fall into two major categories. The primary purpose of the establishment of the Coast Guard Auxiliary was to indoctrinate all owners and operators of small craft in safety requirements in the operation and navigation of small craft. A secondary purpose of the institution of the Coast Guard Auxiliary was to utilize the Auxiliary craft and personnel, after suitable training and indoctrination, in carrying out certain duties of the Coast Guard with particular reference to those concerned with the safety of navigation. The primary programs of the Auxiliary, known as the four cornerstones are:

A. Courtesy Marine Examinations.

B. Public Education.

C. Operations.

D. Fellowship.

The term "Operations" reflects the military background of the Auxiliary's parent organization, the Coast Guard, for operations are normally thought of as the movements military troops and equipment made in carrying out strategic plans. In contrasts, Auxiliary operations are broad and non-military, covering the use of both men and women members, and their facilities, in a wide variety of patrols and Search and Rescue (SAR) missions. Operations is a demanding activity where qualified Auxiliarists may use their knowledge, skills, and facilities in an active and satisfying manner.

Operations is one of the four cornerstones of the Auxiliary, and historically the first active cornerstone. By the outbreak of World War II, the 5,000 new Auxiliarists and their 4,000 vessels had a ready mission, for the dedicated yachtsmen and boaters were used in a wide variety of services supporting the war effort. Post-War reductions, in the Auxiliary as well as the Coast Guard, saw Public Education and Courtesy Motorboat Examinations become the major cornerstone activities. Then, in the early 1950's, Operations once again came into its own, with Auxiliarists and their facilities working side by side with the Coast Guard. Today, Auxiliary Operations are literally invaluable. The long hours spent on operationsl activities are reflected in the statistics of lives and property saved, and only the imagination can fathom the number of accidents prevented by the various operational activities of the Auxiliary.

In 1982, Flotilla 51 had 8 operational qualified operators. Where as 1983 saw the flotilla with 15 qualified operators and were providing operational patrols to Station Winchester Bay, Station Yaquina Bay as well as their normal patrol schedule to Station Coos Bay.

In 1982 and 1983, Flotilla 51 Auxiliary Operations efforts contribution accounted for 137 Safety Patrols for 1,480 patrol hours, 4 Reggatta Patrols for 27 hours and 48 Coast Guard Operational Support Missions for 483 support hours. The 82/83 patrol seasons saw Flotilla 51 provide 1,993 hours of Safety Patrol and Operational Sup-

port Missions. There by assisting 390 persons and 129 vessels, for a property value of 1,719,000 dollars.

The personnel of Flotilla 51 are proud to be members of the United States Coast Guard Auxiliary and they are ever ready to support the Coast Guard and to serve their Community. Allow me to close with the words of the Auxiliary National Commodore Martin S. Herz. "The United States Coast Guard Auxiliary will always be available to serve the pleasure boating public and will do so until there are zero boating accidents or fatalities."

The CHAIRMAN. Now I wonder if we might have the panel of Jim Carey from Gold Beach, Alex Linke from Bandon, and Donald Mann from Brookings.

Do you fellows have any order you want to go in or just in the order of the witness list?

STATEMENTS OF DONALD MANN, PORT MANAGER OF BROOKINGS, BROOKINGS, OREG.; ALEX LINKE, PORT DIRECTOR OF BANDON, BANDON, OREG.; AND JIM CAREY, GOLD BEACH CHAMBER OF COMMERCE, GOLD BEACH, OREG.

Mr. MANN. I will start in. I'm from down south, the Port of Brookings, furthestmost southern port of the Oregon coast. And I'm just going to take a few minutes. I have a printed summary of material I'd like to pass on to you and your staff.

The CHAIRMAN. Go right ahead.

Mr. MANN. I would like to expand on something that we haven't talked about. And that is the future increases we may have or will have in our population in our counties and State.

And we are going to have an increase. I would like to expand on the document, "Commercial and Recreational Boating Facilities in Oregon Estuaries" (1979). It projects that for each 10,000 increase in Oregon's population, there will be an additional 500 recreational boats in the 16-to-26-foot class, which is a very popular clientele for almost all the coastal ports.

Population projections for just the Brookings' prime catchment area for the year 1982 to the year 2000 indicate an increase in population of 160,000, of just four counties. This would add 8,000 recreational boats in the 16-to-26-foot class in that area.

Along this line, this would have a definite impact on not just the Port of Brookings but also the close neighboring Port of Gold Beach and the other smaller coastal Port of Bandon, which is to the, even further north.

Population of a 20-year time period would have a statewide effect, therefore each coastal port and community being affected.

And, to keep it as brief as I can, in conclusion, Mr. Chairman, the projections for the increased population—invite more boats, therefore more marinas that will be crowded, and it's obvious that the ports will need more, not to speak of the existing, Coast Guard search and rescue stations and personnel. I think the population increases are very important. This information is taken in part from a summary of information taken by the Oregon State Department of Economic Development, which I'll make available to you.

[The material referred to follows:]

The Nature of the Brookings Area Economy [1]

The Curry County/Brookings economy has undergone considerable structural change in the past two decades. The traditional lumber and wood products economic base has lost predominance to the servicing of a large and growing retirement population, a rapidly expanding tourist industry, and a relatively strong fishing and fish processing industry. These growing sectors of the economy focus on the economic resources available in the Chetco estuary and at the Port of Brookings.

Timber harvests in Curry County have shown a steady decline since 1959—from approximately 700 million board feet to 169 million board feet in 1980, and a precipitous drop to approximately 80 million board feet in the 1981–82 recession years. The share of Curry County's total wage and salary employment accounted for by the lumber and wood products industry has declined from 56 percent in 1960 to 21 percent in 1982. In contrast, the combined share of wage and salary employment made up of the trade and services sectors has risen from 21 percent to 35 percent over the same 1960–82 time period. The Oregon Employment Division estimates that about half of the jobs in the services sector in Curry County are in lodging facilities tied to the tourist trade. (Local Area Labor Trends, January 1983)

The growth of the retirement community is reflected in population data for both the 1960–70 and 1970–80 decades. Over this period, the number of residents 55–64 years old in both Brookings and Curry County grew at rates approximately twice that of the state as a whole. In the age group 65 years or older, Brookings' and Curry County's growth rates were nearly three times that of the state.

The increasing economic importance of the retirement community is reflected in the changing sources of personal income in Curry County. Two catagories, Transfer Payments and Dividends, Interest and Rent, are particularly indicative of retirement income. In 1962, the combined share of total personal income accounted for by these two categories was 21.5 percent for Oregon and 21.6 percent for Curry County—no significant difference. By 1981, these categories together accounted for 34.0 percent statewide and 49.5 percent in Curry County—a substantial difference. (It should be noted that the Transfer Payments category also includes Unemployment Compensation and, during most of the 1970's, Curry County's unemployment rate substantially exceeded the state average. This was primarily due to the decline in the forest products sector.)

Another mainstay of the Brookings area economy is the commercial ocean fishery and the related seafood processing industry. With the completion of the new commercial boat basin at the Port of Brookings in 1975, fishery landings at Brookings have more than doubled from previous levels. While the fishery harvest is subject to considerable yearly variations, employment in seafood processing has remainded quite stable. In 1982, Brookings' commercial fishery landings ranked fourth among Oregon ports in both poundage and value. (Nationally, Brookings ranked 54th in poundage and 57th in value, among 60 ports ranked.)

The importance of the Brookings offshore sport fishery is evident from annual angler trip data. During 1978 to 1982, Brookings averaged 65,000 angler trips each year, and in three years out of these five was the number one port in Oregon in this regard.

The driving forces behind the "new" Brookings area economy are the area itself—the consistently moderate climate, its scenic beauty, the Chetco River and its sheltered harbor—and the support facilities in place and serving the retirement community and tourism and seafood industries. These include the state parks system and, most critically, the Port of Brookings with its full range of developed facilities and 0.3 mile, no-bar, ocean access.

The Port of Brookings boat moorage facilities currently include 580 permanent sport boat moorages, 35 transient moorages, and 380 commerical boat moorages. These facllities are used at full capacity during the prime May to October season, are substantially occupied in the off season, and are subject to waiting list rationing of their availability.

Future Demand for Moorage Facilities in the Chetco River [2]

Analysis of sport boat moorage use at the Port of Brookings for 1976 and 1982–83 shows a remarkably constant pattern. Approximately 82 percent of permanently

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[1] The following summary was completed for the Port of Brookings in August, 1983, by the Oregon Department of Economic Development.

[2] The following summary was completed for the Port of Brookings in August 1983, by the Oregon Department of Economic Development.

moored sports boats were from the four-county catchment area of Curry, Jackson, Josephine, and Klamath counties. Another two percent were from other Oregon counties and sixteen percent were from other states (predominantly from California).

Use of Port of Brookings' moorage facilities on a part-time basis shows a pattern differing only slightly. About 75 percent of transient use was from the four-county area; another eight percent from Coos, Douglas, and Lane counties, ten percent from California, and the remaining seven percent scattered from elsewhere both in and out of Oregon. Thus, transient usage draws from a slightly broader area, but still within the southwest quadrant of Oregon and south of the border.

1982 boat size data for the Port of Brookings' permanent sport-boat basin show 14 percent of the boats as 16 feet or less, 78 percent in the 17–24 foot class, and eight percent 25 feet or longer. Transient boats were predictably somewhat smaller: 23 percent were 16 feet or less, 72 percent was 17–24 feet, and five percent were 25 feet or longer.

The analysis of future demand for boating facilities in "Commercial and Recreational Boating Facilities in Oregon Estuaries" (1979) projects that for each 10,000 included in Oregon's population, there will be an additional 500 recreational boats in the 16–26 foot class, the Port of Brookings' main clientele. Population projections for the Curry-Jackson-Josephine-Klamath county prime catchment area, 1982 to 2000, indicate an increase in population of 160,000. This would add 8,000 recreational boats in the 16–26 foot class in this area. Past boat ownership trends indicate that boats of this size are increasing at nearly four times the rate of increase in the population, whereas boats under 16 feet are increasing at only a slightly faster rate than the population.

Currently, it is estimated that six percent of the boats in this size class from the four-county area are permanently moored at the Port of Brookings, and another 11 percent use Port of Brookings moorage facilities on a transient basis. Assuming these ratios continue, an additional 480 boats would need permanent moorage facilities in the Chetco River, and another 880 would make use of available facilities on a transient basis.

It is unlikely that future population growth rates will duplicate past ones exactly, although the 1970–82 period examined encompassed two severe economic recessions that played a dampening role. However, a number of factors may offset any overestimation of future demand in the above projections:

No attempt has been made to project demand from outside the four-county area. Past experience indicates that whatever projection is arrived at based on population growth for this area should be increased by 20 percent to account for the Brookings draw from outside the area.

Brookings position as the state's leading port for the offshore sport fishery is likely to continue. The easy ocean access and other emenities of the area give it a favored position. It also appears that Brookings' retirement community may own boats to a higher degree than the population at large (and also that they use them more often).

Projected large-scale mining activity in bordering Del Norte County (California) over the next 20 years is likely to generate a significant but unidentifiable demand for sport boating facilities.

Brookings offshore sport fishery annual angler trips[1]

Year:	*Angler trips*
1978	61,792
1979	[2] 66,534
1980	59,884
1981	[2] 73,615
1982	[2] 65,442

[1] Noncommercial private boats (including charters).

[2] Brookings was the No. 1 port in the State these years, and is consistently among the top ports.

Source: Oregon Department of Fish and Wildlife, Marine Region, Newport.

Population characteristics

The following tables detail the distribution of the population by age groups in terms of decrease or increase for the City of Brookings, Curry County, and the State of Oregon.

TABLE 1.—POPULATION CHANGE, BY AGE, CITY OF BROOKINGS, 1960–80

Age group	1960	1970	Number change 1960–70	Percent change 1960–70	1980	Number change 1970–80	Percent change 1970–80
Under 5	310	206	−104	−33.5	250	44	+21.4
5–14	570	568	−2	−.3	505	−63	−11.1
15–24	325	408	+83	+25.5	493	85	+20.8
25–34	314	288	−26	−8.3	507	219	+76.0
35–44	363	312	−51	−14.0	376	64	+20.5
45–54	351	324	−27	−7.7	343	19	+5.9
55–64	235	297	+62	+26.4	378	81	+27.3
Over 64	169	317	+148	+87.6	532	215	+67.8
Total	2,637	2,720	+83	+3.1	3,384	664	+24.4

TABLE 2.—POPULATION CHANGE, BY AGE, CURRY COUNTY, 1960–80

Age group	1960	1970	Number change 1960–70	Percent change 1960–70	1980	Number change 1970–80	Percent change 1970–80
Under 5	1,657	996	−661	−39.9	1,144	148	+14.9
5–14	2,984	2,653	−331	−11.1	2,272	−381	−14.4
15–24	1,870	1,823	−47	−2.5	2,365	542	+29.7
25–34	1,710	1,460	−250	−14.6	2,347	887	+60.8
35–44	1,937	1,367	−570	−29.4	1,811	444	+32.5
45–54	1,797	1,671	−126	−7.0	1,775	104	+6.2
55–64	1,172	1,641	469	40.0	2,406	765	+46.6
Over 64	856	1,395	539	63.0	2,872	1,477	+105.9
Total	13,983	13,006	−997	−7.0	16,992	3,986	+30.6

TABLE 3.—POPULATION CHANGE, BY AGE, STATE OF OREGON, 1960–80

Age group	1960	1970	Number change 1960–70	Percent change 1960–70	1980	Number change 1970–80	Percent change 1970–80
Under 5	185,454	164,060	−21,394	−11.5	198,046	33,986	+20.7
5–14	359,835	405,629	45,794	+12.7	391,832	−13,797	−3.4
15–23	226,583	366,000	139,417	+61.5	463,728	97,728	+26.7
23–34	203,578	254,577	50,999	+25.1	481,153	226,576	+89.0
35–44	235,410	225,782	−9,628	−4.1	303,796	78,014	+34.6
45–54	213,828	243,391	−9,623	−.04	243,605	214	+.1
55–64	160,346	205,147	29,563	+13.8	247,609	42,462	+20.7
Over 64	183,653	226,799	43,146	+23.4	303,336	76,537	33.7
Total	1,768,687	2,091,385	332,698	+18.2	2,633,105	541,720	+25.9

Source: U.S. Census of Population and C.C.C.O.G. with update and computations, Economic Development Department, July 1983.

The CHAIRMAN. Thank you.

Mr. Linke.

Mr. LINKE. Admiral Parker states that decisions on what coverage we get are made in Washington. So Admiral Parker I trust will warn Washington that last year the Port of Bandon was completely shut down. We were in the process of putting in a new boat basin. We had no moorage. We simply weren't in business. We didn't even have a fish buying station.

Oregon Coast Guard coverage is not now coastwide coverage. Better than a third of Oregon has limited coverage. "Any port in a

storm" is fine as long as you're north of Coos Bay or south of Brookings.

Northern ports are closer together. Their services can overlap. Certainly much easier than where, in the south, the southern ports, the regular Coast Guard stations are as far as 100 miles apart.

Northern ports have year-round protection—that's 24 hours a day. A good example is Depoe Bay. They have four boats there, 24 hours a day. It's got 27 Coast Guard personnel who, up to now, are housed in the local economy.

Gold Beach last year had a 4-month summer patrol, 12 hours a day only. Port Orford has nothing. Basically, Port Orford provides their own coverage. They are not even documented.

Bandon generally has about 2 months' summer patrol—again, 12 hours a day.

We used to have 24-hour coverage. Perhaps the reason it's only 12 hours a day now is because the Coast Guard housing facilities have been allowed to deteriorate.

To dispatch a 44-foot vessel from Coos Bay—these figures are slightly different than the Coast Guard's, but pretty close—takes an average of 2 hours. The Coast Guard's newest cutter, the 30-foot boat, can make it in less than an hour, but I'm told that this boat is not, they don't like to dispatch it in rough weather. And it's not suitable for towing.

To get a helicopter down to Bandon takes an average of 22.2 minutes. They can make it in 18 minutes. This is great, when you think about it. Really appreciate it. However, a helicopter is mainly limited to dropping pumps and pulling people out of the water, sometimes out of the surf. What happens to a boat that's, say it's lost its engine room and it's pretty close to the beach—you threw the anchor over but your gear isn't helping the increasing swell? Or what happens to a boat that has an engine on fire? Well, in that case, 2 hours is a heck of a long time.

Obviously, these figures are a heck of a lot worse for Port Orford since they are 20 miles further south of us. Gold Beach, I think, has about the same problem we have since they are served from Brookings. The distance from Brookings is about the same distance as Bandon is from Coos Bay.

In the south coast—and I'm talking about the lower third of Oregon—we've got darn good fishing. I know all ports say they have got great fishing outside of their ports, but our record can be substantiated by the Department of Fish and Wildlife.

We serve a good portion of the transient fleet. Unfortunately, we believe that we are at a disadvantage because we know for a fact that a portion of the fleet—and that includes the recreational fleet—avoids us simply because, compared to the northern ports, we have very limited Coast Guard protection.

The 7 a.m. to 7 p.m. coverage, despite the fact that we really appreciate—you know, we really appreciate this, but it's simply not adequate because, as you know, most boats like to leave at daybreak if the weather is good. They like to come in about 9 or 10 o'clock in the evening.

And our records show that recreational vessels are increasing. I believe, personally, that they need the Coast Guard more than

anyone. Historically, more assists are made of the recreational fleet than of the commercial fleet. I think that's due to the fact that recreational fleets don't fish together. They go out singly, sometimes not very well equipped and, quite frankly, often they are limited in nautical skills.

I'd like to now go into a little bit of Bandon history. The Port of Bandon has been in existence since 1913. We once shipped 100 million board feet of timber annually. Now we are down to about 30 million board feet of lumber annually.

During the last three decades, we had a very active fishing fleet. One hundred fifty commercial fishing boats used our harbor regularly.

I will assure you that we will disagree with the statement that they just use this port for ducking in and ducking out. These are professionals who have been here since 1913 who will continue to be here from now on.

During the early 1970's our regular Coast Guard station, our 24-hour Coast Guard station, which had two full-time vessels, was decommissioned. Major improvements during that time on ports north and south of us upset the balance. By that I mean ports north of us and south of us, some of whom increased their moorage facilities, their bars improved. Most all of them modernized their Coast Guard protection. And at that time our capability of providing comparable service had decreased. There is no doubt about it.

Well, now the situation is changing. We've just completed a $4 million new commercial boat basin—with your help, Senator. And we really appreciate it. Up the river from us is a prosperous development. It consists of a $25 million, 212-boat marina, along with a shipyard.

The Corps of Engineers is currently conducting a feasibility study to increase, to improve the bar.

We believe that the recreational fleet is increasing. There is no doubt about it, as far as we're concerned.

We see tourism as a major focus. We are a viable southern Oregon coastal resort, and we intend to make full use of our assets.

Our perspective is no longer reactive but proactive, and we're well-equipped to know what the future holds.

We're in the business of promoting economic development. That's not just a local port policy. The State identifies ports as a major tool in facilitating economic development for the entire State, not just the coastal regions, in which case the Pacific door must remain open, and it must be safe.

For the sake of the State, all unsafe ports, whether due to lack of Coast Guard protection or Corps of Engineers' deficiencies, must be improved, must be made safe.

As an economic lifeline, we see absolutely no difference in I–5 and our Pacific waterway. We're talking about saving lives as well as improving the economy.

Reasons given by the Coast Guard for reduced or no coverage are always the same: not enough demand. I heard the Port of Coos Bay talk on that.

I object to that. Simply makes no sense. Demand parallels Coast Guard protection. This partnership is not a gamble. Look at any successful port, north or south, large or small. If you want to grow,

you have to have the Coast Guard as a reliable, full-time partner. It is not safe or justifiable to wait for the demand prior to coverage. Simply makes no sense whatsoever. Gold Beach and Port Orford and Bandon know better than anybody that, when the Coast Guard goes, so does a good portion of the fleet; so does a good portion of our economy.

The bottom line on all this is we would like full-time Coast Guard protection for the Port of Bandon, for Port Orford, and for Gold Beach. Now, this is not a selfish request. We're talking about a waterway. This will not just benefit Bandon, Port Orford, and Gold Beach; it will benefit the entire Pacific coast.

Certainly, if I have a boat from Bandon going up to Waldport, I hope they have good protection. We have to do the same for them.

I don't want anyone here to think that we think negatively of the Coast Guard. Quite the contrary. We know that we have the best Coast Guard in the world. I know this personally. I've sailed in many other parts of the world. Certainly the fine young men who serve in Gold Beach and Bandon, they know they are appreciated. We make a point of getting to know them. The town loves them. We're certainly sad when they go.

We also know the Coast Guard has budget problems. We know it takes years to train a coxswain.

We realize the present facilities at Bandon are deteriorating. We have extended our offer to the Coast Guard that we would help rebuild that.

Thank you.

The CHAIRMAN. Thank you.

Mr. Carey.

Mr. CAREY. I'm sure you're not interested in my reading what these gentlemen have already stated. You can see the cooperation that's being handled on the southern Oregon coast. I want you to realize the economical impact we're going through right now, as far as our major industries. I'm representing, primarily, the city of Gold Beach. I've been contacted by the port, and I've also been involved with the port.

Last night, a city council meeting discussed the fact that the port is playing such a major role in the economy of Gold Beach that it was best we came to the meeting and told you of our interest. We do have a packet of information for you. And I'm sure there is no need for me to go through a prepared statement, since I'm sure you're going to read that.

So I just wanted you to know about our concern and interest.

The CHAIRMAN. Let me emphasize again to all of you, because I know how desperately you want the year-round coverage. The budget problems the Coast Guard does have because I know that, and I've been fighting to get an increase out of the administration—it's not just this one—ever since I've been on the committee. Budget directors look at things differently than people who are the beneficiaries of the spending. Budget directors regard any cut as a plus, almost, and any expenditure is, if not a waste, one to be absolutely scrutinized, justified 100 times over before they will let loose with a dollar. I've had some success, with Senator Hollings, to get it raised, both under President Carter and now under President

Reagan, above their budget request. But even they have a limit. All they can get is what they can get.

And I will do the best I can to work with you. I think your case is justifiable. But I know you'll understand the problem I've had, on occasion. Sometimes I wish I could get $150 million for something and the President want $100 million. And I have to settle for $115 million.

And if I go beyond that, I'm going to get a veto.

I don't have any questions. I appreciate very much your coming up. And I know it took a bit out of your day to drive up here.

Mr. Nicholas Furman of Southwest Oregon Community College.

STATEMENT OF NICHOLAS FURMAN, SOUTHWEST OREGON COMMUNITY COLLEGE, COOS BAY, OREG.

Mr. FURMAN. Sir, I'd like to read from a prepared statement.

Before I do, I would like to personally thank you for your support and the legislature's support of the S/K grant proposal.

The CHAIRMAN. Happy to do it.

Mr. FURMAN. We appropriate your assistance.

I have been a commercial fisherman for 13 years and have participated in most of Oregon's commercial fisheries. For four out of the past five summers, I've traveled north to Alaska where, for the last 2 years, I have captained the 68-foot salmon tender *Higher Ground.*

Since the fall of 1980, I have been on staff at Southwest Oregon Community College as an assistant professor of fishing technology. I helped to develop and currently coordinate the commercial fishing technology program here.

As a commercial fisherman, I've been fortunate not to need or require assistance from the Coast Guard within the last 13 years, but the knowledge that their quick response is available at the other end of a radio transmission is comforting to all who work at sea.

My direct contact with the Coast Guard comes from their assistance and involvement in the crewmen training program that has been offered at the college for the past 3 years. That course includes navigation, seamanship, net construction, and first aid and marine safety and was designed to provide entry-level skills to "green" participants looking for a job as a deckhand.

The Coast Guard's involvement with our program goes back to 1980, when we were granted permission to tour the Cape Blanco Lighthouse facility as part of the basic navigation course. That trip was both interesting and educational.

During the spring term the students visited the motor lifeboat station at the Charleston Boat Basin and the observation tower located on the Coos Bay Bar. The students went through the boats, learned about search and rescue procedures, emergency towing situations and local references used in navigation. The personnel in charge went out of their way to assist the students in their quest for knowledge.

During the 1981-82 school year, the students toured the North Bend Air Station, in addition to the Charleston lifeboat facility. At the air station the students were instructed in proper emergency

radio procedure, pump deployment and operation, air search and rescue techniques, and helicopter evacuation procedure. The highlight of the session was the actual deployment of a helicopter for a demonstration of hoisting techniques using a rescue basket.

In November 1981 a tragedy occurred locally that took the life of the commander of the North Bend Air Station in a heroic rescue attempt. A student from the first year's class also perished in that accident, which served to demonstrate once again the Coast Guard's unselfish commitment to their role.

In the spring of 1982 the acting commander of the North Bend group wrote a letter of support for the S/K grant proposal endorsing the program's marine-safety training and pledging the group's continuing support for training of this nature.

Again, during the 1982–83 school year, students visited the air station and added considerable knowledge and depth to their marine-safety training.

During the winter term, a new dimension was added to the Coast Guard's contribution to the fisheries' program. A medical officer from the North Bend base thoughtfully prepared and developed a 1-week first aid sequence covering common medical emergencies associated with commercial fishing. The oncampus sessions represented a significant donation of time and manpower and is indicative of the Coast Guard's willingness to go to the extra mile in an effort to make the sea safer.

The Coast Guard personnel we've come in contact with have exhibited professionalism in all that they do. Their sense of duty and pride in their work is evident as they have led students through what is undoubtedly the highlight of the marine safety training.

We consider the services rendered invaluable and go on record as being appreciative and supportive of their role on the south coast.

I would like to show some slides that document our relationship with the Coast Guard over the past 4 years.

The CHAIRMAN. Good.

[Slides.]

Mr. FURMAN. As the Coast Guard personnel here will recognize, this is one of the 44-foot motor lifeboats that are stationed in the Charleston Boat Basin. Our students have spent time, over the past 3 years, touring the boats, along with additional equipment, at the same time.

Personnel, as I mentioned, have been quite gracious in assisting the students in the fisheries' program with additional knowledge and have certainly added to their training.

We're talking here about emergency towing procedures. And the personnel have been quite gracious with their time.

Also mentioned was the fact that we toured the facility at the observation tower on the bar. This is looking west on the Coos Bay Bar.

In 1981 we started visiting the air station in North Bend. And here the lieutenant is going over the various Coast Guard facilities on the coast and explaining the operation to the students.

Here we're getting some instruction in emergency radio protocol and what exactly happens when a call is received at the air station in North Bend.

Again, talking to some of the staffers at the air station.

These are the students that were instructed in survival gear and techniques used by the pilot of the helicopter. Was most informative.

The most popular portion of the training and most educational is the instruction in pump usage. We found that many commercial fishermen complained that Coast Guard pumps don't work when they are dropped to them. And every time that we, in fact, went through this demonstration, the pumps did start. So we were led to believe that it's simply an ignorance in operation. And our program is designed to overcome that.

Students participated in taking the pumps out of the canister that would be dropped to a fishing vessel and going through the operational procedure as they would in an emergency situation at sea.

The Coast Guard has been quite gracious with their time spent on this type of training. Here the students are viewing the helicopter located at the North Bend Air Station. And, as I mentioned earlier on, the highlights have been the deployment of the helicopter each year. For most students, this was their first contact with Coast Guard helicopters. And we hope that this is their last contact with Coast Guard helicopters. Each year the Coast Guard, as I mentioned, has been gracious to put a helicopter in the air for us. And the students have found that to be quite exciting and interesting as the Coast Guard personnel go through their basic procedures for evacuating personnel from a boat at sea.

Here a Coast Guardsman is being lifted up into the helicopter, with the assistance of a fellow, and also a basket is being lowered. Personnel again being hoisted into the helicopter.

You'll notice the conditions of weather conditions in the last sequence of slides involving the helicopter. For the 2½ years that we've been participating in this, we've managed to pick a rainy day for one of these tours. The personnel that have been involved have gotten, accordingly, drenched. And the crewmen inside the hangers have always got quite a kick out of watching their associates out in the rain, performing for us.

In addition to that, the lifeboat facility tours and the air station tours, last year the Coast Guard provided us with what we consider to be a significant service. And that was the assistance in the first aid training. A medical corpsman from the base, as I mentioned, thoughtfully prepared a session on basic first aid and presented that to the students in the classroom here on campus and went through medical emergency situations that would commonly occur at sea.

I feel that, as a result of this training, we have put students and people into the industry that are better equipped to handle these types of situations. The fishing industry and the boating community, as a whole, can benefit from it.

That's the extent of my slides and my testimony.

The CHAIRMAN. Let me compliment you on the relevance of what you're teaching. I find this true at community colleges, generally—assuming they are at all in touch with the communities they serve. And, if they aren't, they don't last very long.

This is the kind of thing that I wish all educational facilities could do. But community colleges somehow have tapped into it a

little better than any other part of our college system, as the slides clearly illustrate. I congratulate you.

Thank you very much.

Sheriff Tarno asked if he could testify for a few minutes. He wasn't on our list, but anytime the sheriff of the county I'm in asks to speak before I've gotten out of the county, I let him testify.

STATEMENT OF VERAL E. TARNO, COOS COUNTY SHERIFF, COQUILLE, OREG.

Sheriff TARNO. Thank you.

There was a subject that was touched on briefly by Admiral Parker that I think should be raised again, with some significance, and that is the subject of smuggling and law enforcement in our community if it were not for the Coast Guard.

In 1977 we had a major smuggling operation off the coast of Bandon. Some 8 tons of marihuana, to the value of $20 million——

The CHAIRMAN. I'm curious. Coming into Bandon?

Sheriff TARNO. Yes, sir.

The CHAIRMAN. Interesting.

You mean they had no trouble crossing the bar?

Sheriff TARNO. It was a mother ship. And they used three amphibious larks. Made the crossing quite easily—south of Bandon some 6 miles.

The CHAIRMAN. I assume Bandon was just a distribution point, not a principal manufacturing center.

A VOICE. A user.

Sheriff TARNO. We also know that there is a smuggling operation coming in—information coming to use of other operations in our community.

Basically, without the support of the Coast Guard, we would be helpless to prevent this. This is a major problem not only for our county but our State.

And I thank you.

The CHAIRMAN. Sheriff, thank you. Let me say that this is the first I've known about this particular smuggling operation. But let me say that there is never a hearing that I have participated in, whether I chaired it or not, that I haven't learned something. And today, as usual, I learned.

The bulk of what we do in Congress is just about what you see here. For all the glamour or the headlines that appear in the papers about tremendous votes on the House floor, 90 to 95 percent of all the information we gather is gathered in hearings like this—mostly in Washington, but sometimes we can do them in the field so that people who would not otherwise come to Washington can testify.

Ninety percent of the bills that finally appear on the Senate floor pass as they come out of committee, without any significant amendments.

So you've seen a little bit of a process of how Government works. And it has been most helpful to me this morning.

I appreciate, admiral, your coming down, and I appreciate everybody's participation.

We're adjourned.

[Whereupon, at 11:45 a.m., the committee was recessed, subject to the call of the Chair.]

OILSPILL IMPACT AND COAST GUARD RESPONSE

THURSDAY, JANUARY 12, 1984

U.S. SENATE,
COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION,
Newport, Oreg.

The committee met, pursuant to notice, at 10 a.m., at 4 J's Restaurant, 614 Elizabeth Street, Newport, Oreg., Hon. Bob Packwood (chairman of the committee) presiding.

OPENING STATEMENT BY THE CHAIRMAN

The CHAIRMAN. The hearing will come to order, please.

This is a full hearing of Senate Commerce Committee, and therefore, all of your statements will be put into the record in full.

I would encourage those who testify, as I did those who testified yesterday in Coos Bay, to not just read from their statements, but to put them into the record and to summarize the major points they want to make.

Before we start, however, I would like to make a presentation to both Commander Davis and Chief Garrison for the work that they did on behalf of the Coast Guard, and frankly, on behalf of the people of this country.

The owner of this restaurant said this room was used as a command post during the cleanup, and that he's a retired military officer, and he just wanted to tell me how impressed he was with how cost-conscious the Coast Guard was. And he wanted me to go back and tell Secretary Weinberger and President Reagan that indeed we are getting tremendous value for our money out of the Coast Guard. And he can attest to it, having watched them personally operate.

And I know both Chief Garrison and Commander Davis are responsible for that, and if those two fellows would come up, I'd like to make your presentations to you now.

[Whereupon Chief Garrison and Commander Davis came to the front of the room to receive their presentations.]

The CHAIRMAN. It's a tribute. They not only liked what you've done, but they say you've saved money at the same time. Congratulations. Thank you very much. I appreciate it.

Chief, good job. I'm proud of you. Thank you very much.

Let's start this morning with Rear Adm. Harold Parker, who is the commander of the 13th Coast Guard District, which includes the State of Oregon. With Commander Davis and Chief Garrison.

And then we'll finish that panel and go to Roland Miller, and then I would like to ask the mayor, John Brenneman, if he would join the panel with Jack Palmer, the manager of the Port of Newport.

The mayor asked if he could testify, and whenever I'm in anybody's town and the chief officer wants to testify, we make sure that there's room for them to testify.

At the moment, if we could start with Admiral Parker, Commander Davis and Chief Garrison.

Good morning. Good to see you again.

STATEMENT OF ADM. HAROLD W. PARKER, JR., COMMANDER, 13TH COAST GUARD DISTRICT, SEATTLE, WASH., ACCOMPANIED BY CMDR. STEVE DAVIS, EXECUTIVE OFFICER, MARINE SAFETY OFFICE, PORTLAND, OREG., AND SENIOR CHIEF RON GARRISON, OFFICER IN CHARGE, COAST GUARD STATION YAQUINA BAY

Admiral PARKER. Thank you, sir. Good morning, Mr. Chairman.

The CHAIRMAN. The admiral was testifying yesterday in Coos Bay also. The subject of the hearing there was the search and rescue operations of the Coast Guard.

Today we're concentrating almost solely on the oil spill, and the tremendous job performed by the Coast Guard and everyone else involved.

Go right ahead.

Admiral PARKER. Thank you, sir.

Mr. Chairman, I'm Rear Adm. Harold W. Parker, Commander of the 13th Coast Guard District, which incorporates the four Pacific Northwest States of Oregon, Washington, Idaho, and Montana, as well as some 76,000 square miles of the Pacific Ocean.

I'm delighted to be here this morning. With me are some members of my staff. If you would, sir, I'd like to introduce them. Cmdr. Steven Davis, executive officer of the Coast Guard Marine Safety Office, Portland, Oreg., and Senior Chief Boatwainsmate Ron Garrison, both of whom you've just met, of course, in the presentation.

And also I brought Cmdr. Richard Franks, Chief of my Environmental Protection Branch, 13th Coast Guard District, in Seattle.

My presentation this morning concerns the Coast Guard's marine environmental protection program, with particular emphasis on the recent *Blue Magpie* grounding here at Yaquina Bay, and subsequent oil spill. It will be presented in three parts.

I will provide an overview of this important Coast Guard mission, including resources available, other Federal, State, and local agency cooperation, laws and regulations that pertain, and the 13th Coast Guard District's coordination of the response effort.

Following me, Commander Davis, the Federal onscene coordinator, will discuss the cleanup activity necessitated by the discharge of oil from the grounded ship.

And then concluding the Coast Guard presentation will be Senior Chief Boatswainsmate Ron Garrison, officer in charge of Station Yaquina Bay. Senior Chief Garrison played an important role in both the search and rescue phase and the cleanup operations associated with the motor vessel *Blue Magpie* incident.

Mr. Chairman, during a particularly vicious storm the night of November 19, 1983, the 3,081 gross ton Panamanian motor vessel *Blue Magpie,* against the advice of Coast Guard Station Yaquina Bay, attempted to enter the harbor, and in so doing struck the north jetty and broached on the rocks.

The 19 Korean crewmen were rescued by the heroic efforts of the pilot and air crew of a Coast Guard helicopter from North Bend, Oreg., but the pounding sea broke open the ship's oil tanks, resulting in a major oilspill estimated to be as much as 92,000 gallons.

This is only as background for the record, Mr. Chairman. I know the thrust of your hearing today is not the actions of the Korean master in attempting to enter without clearance, although he must have feared for the lives of his crew and the safety of the ship. Nor is this hearing on the daring rescue of the survivors. I will therefore confine my testimony in this multifaceted case to the oil spill action.

With your indulgence, Mr. Chairman, I'm going to abbreviate my statement for the purpose of this hearing. I do this because in order to fully present an overview of the Coast Guard responsibilities and initiative to carry out the will of Congress in the prosecution of pollution of our Nation's waters, it has been necessary in my formal statement to put forth a chronology in some detail of the laws and ensuing Federal regulations that sprang from those laws.

And Senator, I feel about as comfortable reciting a litany of oil spill legislative history before you, knowing you participated in debate and passage of all of this through the Senate, as I would discussing the merits of the National Boating Safety and Facilities Improvement Act with you, knowing you were the Senate sponsor of that piece of legislation.

The Coast Guard has been involved in marine environmental protection for almost 85 years. The Refuse Act of 1899, and the oil pollution laws enacted in 1924 and 1961 deeply involved the Coast Guard. But it was during the 1970's when a series of catastrophic oil spills caught the Nation's attention.

In 1976 the tanker *Argo Merchant* ran aground off Nantucket, and spilled over 8.5 million gallons of oil. That same year in Los Angeles the motor vessel *Sansanina* exploded at the dock with heavy harbor pollution.

In 1978, the *Amoco Cadiz* ran aground off the coast of France and spilled almost 68 million gallons.

It was in the wake of these and other disasters that Congress came down hard on polluters, and passed a series of effective laws, putting teeth in the program and putting the Coast Guard and the EPA in the vanguard.

The Federal Water Pollution Control Act, or commonly the Clean Water Act, was the principal law the Coast Guard invoked during the *Blue Magpie* incident.

In essence, this law states that the Federal Government may remove oil from our waters and beaches if the discharger is not taking proper action. The spiller, however, remains liable to the U.S. Government for the removal costs incurred. In the case of the *Blue Magpie,* the Coast Guard will seek full reimbursement.

Another provision of the Clean Water Act requires any vessel over 300 gross tons, such as the *Blue Magpie,* to establish and maintain evidence of financial responsibility. In other words, the owner must have a bond or other means to pay for the cleanup.

We checked immediately upon notification of the *Blue Magpie* spill and found that the vessel was in compliance.

In 1980 there were over 11 thousand reported spills in the United States involving over 11.8 million gallons.

Here in the 13th Coast Guard District, we are now averaging about 800 spills a year. We are seeing a decline.

Prior to 1980, we were averaging over 1,000 spills a year. The program is effective, Mr. Chairman.

Our typical spill today involves about 5 gallons from a fishing or pleasure craft, with occasional larger spills from commercial vessels. Rarely do we have an experience such as the significant spill of over 90,000 gallons, as in the case of the *Blue Magpie.*

The last large spill in the 13th Coast Guard District was the *Toyota Maru #10* on June 27, 1978. She lost 26,400 gallons of crude oil in the Columbia River near Portland.

We're glad to see this declining spill trend. However, it does not mean that the Coast Guard is declining in its enforcement. And Coast Guard enforcement is strict. When the polluter is identified, a monetary penalty is imposed.

In spite of the best prevention efforts, spills do occur. Because of this, the Coast Guard, as with other applicable Federal agencies, remains ready for disastrous spills.

Our master planning document is the National Oil and Hazardous Substance Contingency Plan. The onscene coordinator is the single Federal official responsible for initiating and directing response action.

Upon notification, the onscene coordinator proceeds to the spill site. He determines who is responsible for the cleanup, and then judges whether the responsible party is taking effective recovery actions.

The onscene coordinator also determines if Federal cleanup action is necessary. If the spiller is conducting the cleanup properly, the role of the onscene coordinator is essentially one of monitoring and of offering advice.

The onscene coordinator can also declare a Federal response if the spiller is unknown, or if the spiller is unable to conduct the cleanup, as was the case with the owners of the motor vessel *Blue Magpie.*

Commercial cleanup contractors are used to remove or mitigate spills whenever those forces possess the needed capability and can respond in a timely manner.

For response to large spills the Coast Guard maintains three specially trained strike teams. It was men and equipment from our Pacific strike team that supported the onscene coordinator here in the *Blue Magpie* spill.

To maintain a high level of pollution response preparedness, the Coast Guard conducts frequent drills. These drills present realistic opportunities to exercise our plans and personnel. The entire response community—Federal, State, and local—can participate in these drills.

A major spill drill was conducted in Oregon in March 1983. Eight months later the *Blue Magpie* incident occurred. Pretty good timing.

To conclude, all elements were in place on Saturday evening, November 19, when the *Blue Magpie* struck Yaquina's north jetty. Contingency plans were ready and response personnel were trained and on duty. These personnel included not only my own Coast Guard forces, but also the many equally dedicated people from other Federal, State, and local response agencies.

In my judgment, the entire operation, from the rescue to the cleanup, was a credit to all involved. I cannot praise those men and women enough for their tireless endeavors and dedicated work.

When I visited this command post here in Newport shortly after the spill, it was a joy for me to see so many people, not only Coast Guardsmen, hard at work and cheerfully performing their tasks.

One of those most closely involved with those in the trenches was the Federal onscene coordinator of such. On November 19, Comdr. Steve Davis was the acting captain of the Port of Portland, and thus became the Federal onscene coordinator for the *Blue Magpie* oilspill incident.

I would be pleased to answer any questions you have, Mr. Chairman, or if you wish, Commander Davis and Senior Chief Garrison can give their statements, and we can respond at the conclusion of the Coast Guard presentation.

The CHAIRMAN. I would rather have the commander and the chief's statement, and then ask questions.

Admiral PARKER. Yes, sir. Then I'll introduce Commander Davis, Mr. Chairman.

Commander DAVIS. Good morning, Mr. Chairman.

Cleanup of the oilspill from the *Blue Magpie* was a team effort. It was conducted not only by my own Coast Guard forces, but also by the Pacific strike team and response personnel from local, State, and other Federal agencies, in addition to hearty local volunteers.

All participants were predesignated by the contingency plans that Rear Admiral Parker has referred to previously. These plans were immediately activated upon notification that the motor vessel *Blue Magpie* had grounded.

My report to you today will summarize the actual cleanup as activated by the existing contingency plans.

Immediately after being notified of the *Blue Magpie* grounding, the Coast Guard initiated the notification of the national network of agencies required by the size and type of incident. The Coast Guard's Pacific strike team immediately dispatched men and equipment.

Early Sunday morning I established a safety zone from the mouth of the Yaquina Bay entrance jetty to Route 101 Highway bridge in order to control vessels desiring to use Yaquina Bay.

Vessels were required to obtain transit permission from the Coast Guard. Vessel operators were commendably cooperative in complying with these procedures.

We tried without success to locate a representative of the ship to take responsibility for the spill. Since none could be found, I declared the incident a Federal response Saturday evening at 11 p.m.

Coast Guard personnel from Portland began arriving in Newport some 3 hours after the Federal response was declared. Also, personnel from all involved parties, both Federal and State, were soon on the scene.

During the early morning hours all plans for the deployment of a diversionary boom were completed.

By noon Sunday, the Pacific strike team had transferred their equipment to the spill scene to be used in the event the weather abated enough to board and offload the vessel.

Consulting with numerous scientists and environmental resource managers, I decided that some intervention might be desirable.

In analysis, the computer generated trajectories provided by NOAA oceanographers were considered, as was information concerning marine mammals along the coast north of Newport, upcoming annual southward migration of gray whales, analysis of the threat to oceanfront property as a result of accelerated beach erosion if any sand was removed from North Beach, and the highly favorable weather conditions which were predicted by the National Weather Service. High winds from a southerly direction were forecast. This would take the oil away from the beaches and the bay.

The worsening weather Wednesday evening scuttled any deliberate intervention. Wind velocities increased to over 50 miles per hour, and changed direction from westerly to southeasterly. Heavy swells pounded the vessel against the jetty all night. Numerous beach checks showed oil in the surf.

At first light on Thursday we observed that the storm had released the remaining bunker "C." No large oil accumulations were found in the bay or on the beaches. Extensive efforts failed to locate any further oil accumulations Thanksgiving Day.

On Friday, reports were received of oil on the beaches from Cape Meares north to the entrance of Tillamook Bay. Coast Guard investigators found small amounts of oil that did not warrant cleanup.

Sunday a Coast Guard helicopter overflight was performed. This survey revealed that there were no accumulations of oil in sufficient quantities to feasibly allow cleanup.

During several minus tide days in December, inaccessible oil was exposed on the sand flat below the Newport bridge. The onscene coordinator reactivated cleanup contractors and removed approximately 1,000 gallons of oil from that location, completing all cleanup on December 20.

Oil-contaminated birds were collected and treated under the guidance of the U.S. Fish and Wildlife Service, Oregon Department of Fish and Wildlife, and the Oregon State University Marine Science Center.

Of the oil that was coming ashore, more oil was being deposited inside the bay than on the sandy beach north of the jetty.

To aid in strategic planning, we calculated likely amounts of oil in the wreck. This was difficult because the only vessel plans available were a set of handdrawn ship outlines drawn by the vessel's chief engineer. Using this information, we concluded the *Blue Magpie* grounded with 92,000 gallons of oil on board.

During the first 18 hours of the incident, the vessel broke in half and released its entire midsection's contents of over 40,000 gallons of oil, and the remaining 40,000 gallons of bunker "C" in the for-

ward section continued to leak out at a rate of 300 to 400 gallons per day.

Approximately 33,000 gallons were predicted to be remaining in those tanks on Sunday.

The oil in Yaquina Bay was concentrated into two primary areas, resulting in far more effective cleanup than would have been possible if the entire bay were to be cleaned up.

Oil-soaked debris was retrieved on North Beach, and within the bay, and transported for eventual disposal to the Oregon Highway Department waste disposal site.

The liquid oil and oil-soaked solvents recovered were transported to and incinerated by Georgia Pacific Corp. in their boilers at the Toledo plant.

Given the present weather conditions, we concluded the offloading of the oil remaining on the vessel would only be possible by plugging the leaking tanks. My staff predicted and evaluated all possible outcomes if not intervening action were taken.

Federal response to the motor vessel *Blue Magpie* incident at Newport, Oreg., was administratively brought to a conclusion on January 5, 1984, with the understanding that any future oil cleanup efforts identified as necessary may result in a reopening of the case.

Approximately 7,000 to 8,000 gallons of bunker "C" and a large quantity of oily debris were removed during the response effort. Total cost of the spill response from the pollution revolving fund was approximately $225,000.

Actions have been initiated by the Coast Guard to seek our recovery costs from the vessel's owners.

Collectively the response team totaled 200 individuals working as one.

Thank you, Mr. Chairman. That's the conclusion of my presentation.

The CHAIRMAN. Thank you. Chief?

Chief GARRISON. Good morning, Mr. Chairman. I'm pleased to appear before you today to address the topic of Yaquina Bay's involvement in the grounding of the motor vessel *Blue Magpie.*

The motor vessel *Blue Magpie* first contacted station Yaquina Bay at 5:08 p.m. The vessel was requesting information on anchorage due to bad weather being experienced at sea.

The station advised the motor vessel, *Blue Magpie,* to stay outside due to rough bar conditions. At that time the bar conditions were 16- to 18-foot breaks, winds of 40 knots, visibility 1 mile.

At that time the station contacted both the Columbia River bar pilot and the Coos Bay bar pilot, which takes care of the Newport area.

The Columbia River bar pilot reported to us that the Columbia River bar was closed to all traffic due to bad weather. The Newport bar pilot reported to the vessel that it would not be able to anchor in Newport Harbor, but would be able to anchor at the terminal docks on the 20th at high water, if weather conditions were favorable.

He was then instructed to proceed to 2 miles northwest of the Yaquina Bay entrance buoy and await high water. The instruction was acknowledged to the Newport bar pilot.

At 7:15 p.m. a transmission received from the motor vessel *Blue Magpie* stated she was at the Yaquina Bay entrance buoy, and insisted on coming in. Again, she was warned to stay clear of the bar and to await the Newport bar pilot and high water.

At 7:40 p.m. the motor vessel *Blue Magpie* reported she was aground, position unknown.

The station dispatched a beach vehicle, Mobile 1, to look at the jetty entrance area. Mobile 1 reported the vessel was aground against the tip of the north jetty.

Not knowing the number of people on board, or what the situation might develop into, the station requested helicopter support from Group Astoria and Group North Bend.

Two station motor lifeboats were launched, and additional beach parties were formed to assist Mobile 1.

We established communications with the motor vessel *Blue Magpie*. The number of people on board was determined to be 19. The ship was advised to put everyone in lifejackets, to go to the pilot house, and to remain together.

Motor lifeboats arrived on the scene and began assessing the situation. Removing the personnel by boat in these conditions was ruled out.

An area on the vessel was located which was suitable for a helicopter hoisting site. Plans were developed for retrieving a crewman in a man overboard situation, and for handling the vessel should it break clear of the jetty and drift into the channel.

Fire was another possibility, with the fuel oil spilling out of the hull. The civilian tugboat *Spartan* was placed on standby, the Newport Fire Department was alerted, and the Newport City Police notified for possible traffic and crowd control.

Station personnel cleared a section of the beach to be used for an emergency helicopter landing area, and flares were readied and illuminated to light up the area.

At 9:25 p.m., the Coast Guard helicopter evacuated the last crewman.

A contingency plan was then activated for oil cleanup and containment.

At 1 a.m. the motor vessel *Blue Magpie* shifted to the north side of the north jetty, where she broke up and is resting today.

The main reason this incident ended in a successful rescue is due to the many hours of planning and training conducted by all elements of the Coast Guard. The city and the community were quick to back us up, and were eager to do so.

Much effort came from the Newport Fire Department and their emergency medical personnel; and the Newport Police Department, who assisted in caring for and transporting the 19 Korean crewmen.

Others assisting included Mr. Jack Palmer, the Port of Newport, the local fishermen, local residents, and others too numerous to list.

Throughout this unfortunate ordeal, the pride and support shown by the community was overwhelming. And was greatly appreciated by myself and my crew.

Thank you. That concludes my statement, sir.

The CHAIRMAN. Admiral, may I ask you this—or the chief or the commander can answer.

Obviously, the equipment necessary to handle the possibility of a major spill cannot be located at each station. We would have too much money involved in equipment that would be used too little.

What is available here? You say you have relatively minor spills; 5 gallons, 10 gallons are the bulk of what you worry about.

Are those even spills that you need worry about, or do you literally pay attention, first, to 5 or 10 gallons; that's my first question. Second, when you have to face a major spill—call this a major spill—how readily available is equipment that you need to handle this?

It was clearly available after this spill. Can that be counted upon in Coos Bay or Astoria or Crescent City, or wherever else this may happen?

Admiral PARKER. If I could take your second question first.

The Pacific strike team has all kinds of equipment available to them. They're located near San Francisco, at Hamilton Air Force Base. They have the capability of using a C–130 to transport personnel and equipment.

They're ready to move that equipment out of there and have it en route to a scene in less than 4 hours. So that's the availability of our——

The CHAIRMAN. Is that Coast Guard equipment? You do a fair amount of contracting.

Admiral PARKER. That's Coast Guard owned equipment only I'm talking about, sir.

Yes; we do contracting whenever possible. As was the case here.

As far as stashes—the first part of your question—up and down the coast and everyplace where a spill could occur, Mr. Chairman, we're not funded for that in the Coast Guard. That would be an—overpowering commitment; not just the initial acquisition, but the maintenance of equipment.

Several ports up and down the three coasts, including the gulf coast and the Great Lakes, too, have co-ops developed, where the companies, the marine interests, get together. They have organizations such as Clean Seas, Clean Waters, and other names like that; and those organizations have permanent employees, they have the equipment, they're capable fo handling large, large booms, cleanup gear, and things like that. They're actually in that business.

The CHAIRMAN. What would the chief have here that would be maintained at this station or a station of similar size?

Admiral PARKER. I'm going to have to let the chief answer——

The CHAIRMAN. All right.

Admiral PARKER. I'm not sure—even if he has a small boom. I don't know. Do you have a small boom?

Chief GARRISON. Yes, sir, I have a small boom of 200 feet that I have readily available right here. We also have a 2,000-foot boom that is stored in Coos Bay.

The CHAIRMAN. Now, you were saying——

Admiral PARKER. Well, excuse me, sir, may I? You can see, these booms are not for handling spills such as the *Blue Magpie*. No; they're for responding to the smaller spills.

The CHAIRMAN. That's what I was curious about. When you mentioned the 5 or 10 gallons, you're not even talking about needing a 200-foot boom for that kind of spill.

Admiral PARKER. A little oil mop, sir, would do that nicely.

The CHAIRMAN. But you are equipped, Chief, to handle 95 percent of the spills that may occur here?

Chief GARRISON. Yes, sir, we are equipped to handle that. That's correct.

The CHAIRMAN. And you have a satisfactory working relationship, Admiral—I direct this to you with the private industry contractors that you contract with. They certainly were responsive here. They were down here as quickly as the Coast Guard was. Is that a normal situation?

Admiral PARKER. I would say that my people in the trenches, my frontline people, are on a first name basis with most of these commercial cleanup people, so they can call them up and get them moving in no time. Of course, they appreciate the business.

The CHAIRMAN. In your judgment, why are the number of oil spills going down? I believe that's what you stated.

Admiral PARKER. I believe because people are now paying attention, and I speak back to my salad days, when I was a lieutenant, a lieutenant commander, before the Congress had enacted the very strict laws that they have now, and the Coast Guard, thanks to those laws, was able to put in the regulations that we have today.

We were operating under the Refuse Act of 1899, as I mentioned in my statement, sir.

Things have changed, and I believe that with our strict enforcement—and it is strict—I think we have, shall we call it, a growing awareness on the part of the potential spiller. Let's don't be sloppy.

Even knocking over a can of paint in the harbor can cost a boater much more than replacing that gallon of paint.

The CHAIRMAN. Gentlemen, I have no more questions. Let me just say again, congratulations—not only on the oil spill part, but as to the search and rescue. Taking people off that freighter in what were very uncertain circumstances.

Just yesterday, we were in Coos Bay talking about search and rescue, and just within the last week, the Coast Guard picked a person off a buoy.

I got a kick out of the way the admiral described it to me. He was in a barbershop in Seattle, right?

Admiral PARKER. That's right, sir.

The CHAIRMAN. And we was waiting for his turn in the barber chair, and he was looking across at a paper that this fellow was reading, and here was a picture of this buoy with some fellow hanging onto it, and the admiral thought, "That's our buoy," and so he couldn't wait for the guy to put the paper down so he could see what was going on. The person they took off that buoy had clung to it all night.

Again, congratulations on a job well done, both on that and on this oilspill. Fellows, thank you very much.

Admiral PARKER. Thank you, Mr. Chairman.

[The statement follows:]

STATEMENT OF REAR ADM. HAROLD W. PARKER, COMMANDER, 13TH COAST GUARD DISTRICT

Mr. Chairman, I am Rear Admiral Harold W. Parker, Commander of the 13th Coast Guard District which incorporates the four Pacific Northwest States of Oregon, Washington, Idaho and Montana, as well as approximately 76,000 square miles of the Pacific Ocean. I am delighted to be here this morning. With me are some members of my staff. Allow me to introduce them.

Commander Stephen Davis, Executive Officer, Coast Guard Marine Safety Office, Portland, Oreg.; Commander Richard Franks, Chief, Marine Environmental Protection, Thirteenth Coast Guard District; and Senior Chief Boatswainsmate Ron Garrison, Officer-in-Charge, Yaquina Bay Coast Guard Station.

My presentation this morning concerns the Coast Guard's Marine Environmental Protection program with particular emphasis on the recent *Blue Magpie* grounding here at Yaquina Bay and subsequent oil spill. It will be presented in three parts:

I will provide an overview of this important Coast Guard mission including resources available; other Federal, state and local agency cooperation; laws and regulations that pertain and the 13th Coast Guard District's coordination of the response effort.

Following me, Commander Stephen Davis, the Acting Federal Onscene Coordinator, will discuss the cleanup activity necessitated by the discharge of oil from the grounded ship.

Then concluding the Coast Guard presentation will be Senior Chief Boatswainsmate Ron Garrison, Officer-in-Charge of Station Yaquina Bay. Senior Chief Garrison played an important role in both the search and rescue phase and cleanup operations associated with the M/V *Blue Magpie* incident.

Mr. Chairman, during a particularly vicious storm the night of November 19, 1983, the 3,801 gross ton Panamanian Motor Vessel *Blue Magpie,* against the advice of Coast Guard Station Yaquina Bay attempted to enter Yaquina Bay and in doing so struck the North Jetty and broached on the rocks. The nineteen Korean Crewmen were rescued by the heroic efforts of the pilot and aircrew of a Coast Guard helicopter from North Bend, Oregon, but the pounding sea broke open the ship's oil tanks resulting in a major spill estimated to be 92,000 gallons.

This is only as background for the record, Mr. Chairman. I know the thrust of your hearing today is not the actions of the master in attempting to enter; although he must have feared for the lives of his crew and safety of his ship; nor is this hearing on the rescue of the survivors.

I will therefore confine my statement in this multi-faceted case to the oil spill action.

The Coast Guard has been involved in Marine Environmental Protection for almost 85 years. The 1899 Rivers and Harbors Act, often referred to as the Refuse Act, prohibited the discharge of refuse and liquids into our navigable waters. Later, non-emergency oil discharges from vessels were expressly prohibited by the 1924 Oil Pollution Act, and Coast Guard involvement was even further expanded in 1961 with the passage of the Oil Pollution Act. This law tasked the Coast Guard with boarding foreign vessels to examine their records for evidence of possible oil discharge violations.

But it was during the 1970's when a series of catastrophic oil spills caught the nation's attention. In December 1976, the tanker *Argo Merchant* ran aground off Nantucket. It broke up and spilled over 8½ million gallons of oil. In Los Angeles, the *Sansanina* exploded at the dock with heavy harbor pollution. Europe experienced an even worse disaster. In March 1978, the very large crude carrier *Amoco Cadiz* lost steering and ran aground off the coast of France. The spill this time was almost 68 million gallons. Crude oil accumulated on 50 miles of French beaches and harbors.

Even before the *Amoco Cadiz* disaster, U.S. environmental protection legislation began to significantly expand Coast Guard responsibilities. First, there were the Federal Water Pollution Control Act Amendments of 1972 and the Deepwater Port Act of 1974.

Later came the Clean Water Act Amendments of 1977. In 1978, it was the Port and Tanker Safety Act and the Outer Continental Lands Act Amendments. Most recently, it was the passage of the Comprehensive Environmental Response, Compensation and Liability Act of 1980. Combined with earlier legislation, the Congress has provided the strong tools needed to prevent and respond to marine pollution.

The Federal Water Pollution Control Act, or more commonly, the Clean Water Act, was the principle law the Coast Guard invoked during the *Blue Magpie* incident. In essence, this law states that the Federal government may remove oil from

our waters and beaches if the discharger is not taking proper action. The spiller, however, remains liable to the U.S. Government for the removal costs incurred. In the case of the *Blue Magpie* the Coast Guard will seek full reimbursement.

Another provision of the Clean Water Act requires that any vessel over three hundred gross tons, such as the *Blue Magpie,* establish and maintain evidence of financial responsibility. In other words, the owner must have a bond or other means to pay for a cleanup. We checked immediately upon notification of the *Blue Magpie* spill and found that the vessel was in compliance.

Ideally there would be no oil spills. Toward this goal, considerable attention is directed at prevention. As a nation, we are making excellent progress—our waters are cleaner. The Coast Guard's roles and missions report of 1982 concluded that, and I quote:

"The number of oil spills peaked in 1977 and had declined 25 percent in 1980; while this is not a statistically validated trend, a continuing decline in the future can be expected due to federal and state regulation, technological advances, and economic incentives." End of quote.

In 1980, there were over 11,000 reported spills in the United States involving over 11.8 million liquid gallons (82 percent of which was oil). Of these approximately 5,000 were from known sources. About 74 percent of these came from vessels, about 13 percent from marine facilities, and 13 percent from offshore production facilities.

Here in the 13th Coast Guard District, we are now averaging about 800 spills a year. Again we are seeing a decline. Prior to 1980 we were averaging over 1,000 spills a year. The program is effective, Mr. Chairman.

Our typical spill today involves about 5 gallons from a fishing or pleasure craft, with occasional larger spills from commercial vessels. Rarely do we experience a significant spill of over 90,000 gallons, as in the case of the *Blue Magpie.* The last large spill in the Thirteenth Coast Guard District, other than the *Blue Magpie* was the *Toyota Maru* #10 on 27 June 1978. The *Toyota Maru* lost 26,400 gallons of crude oil in the Columbia River near Portland, Oreg.

We are glad to see this declining spill trend. However, it does not mean that the Coast Guard is declining in its enforcement efforts. Marine Environmental Protection remains a major Coast Guard mission. This is also keeping with our roles and missions report, which clearly concludes that marine environmental protection remain a national objective. Protection from spills is best provided by prevention. The Coast Guard seeks to prevent spills in many ways. We routlinely board vessels, both U.S. and foreign, to insure compliance with federal pollution prevention regulation. Our computerized Marine Safety Information System spots potential problem vessels and alerts Coast Guard Captains of the Port. We prevent some through deterrence. The marine community knows that the Coast Guard is present. Our harbor patrols regularly check for oil around vessels and along the waterfront. In addition, all Coast Guard aircrewmen have been trained to detect and report spills. Prevention is also accomplished through our shoreside inspection program. Where there is an oil transfer facility there is a potential for a spill. Coast Guard enforcement is strict, and as a result reduces this potential. When there is a spill, regardless of the source, we investigate. When the polluter is identified, a monetary penalty is imposed.

Congressionally legislated Coast Guard authority can often prevent spills. In potentially dangerous situations, the Coast Guard is empowered with very significant and unique authority. We can require owners of vessels and facilities to take specific actions. Should they not comply, the Captain of the Port may resort to his summary powers. In a worst case situation, we could assume control of the vessel or facility and direct operations until the danger has been resolved. These special powers are not normally available to state or local agencies. We exercise them with extreme care while knowing that they can prevent spills.

In spite of the best preventive efforts, spills do occur. Because of this, the Coast Guard, as with other applicable federal agencies, remains ready for disastrous spills such as the *Blue Magpie.* This readiness is provided in two forms, first, with resources such as people and materials, and second, with plans to use these resources most efficiently. Our master planning document is the National Oil and Hazardous Substance Contingency Plan. As its name implies, it addresses both oil and hazardous substances and is, in fact, authorized under both the Clean Water Act and Comprehensive Environmental Response, Compensation and Liability Act of 1980.

The National Contingency Plan creates a clear chain of command. It outlines the response procedures for various agencies. These are broken down into national, regional, and local levels. When a spill surpasses the response capabilities of one level, advice and support can be sought from the next higher. Each level possesses a contingency plan which is implemented by a response team.

Local response is the key to the entire system. But first I will discuss the higher response levels.

Coordination at the national level is performed by the National Response Team, located in Washington, D.C. It is composed of federal agencies with resources to help fight a spill. These agencies are the Environmental Protection Agency, the Federal Emergency Management Agency, and the Departments of Transportation, Defense, Justice, Health and Human Services, Commerce, Energy, Interior, Labor, State, and Agriculture.

When activated, the National Response Team monitors reports from federal officials at the scene of a spill, and, in turn, provides help and makes recommendations. The National Response Team was not formally activated for the *Blue Magpie* incident. It was, however, alerted.

The Regional Response Team was activated. The regional structure parallels that of the national level. For response purposes, the United States has been divided into 10 federal regions. The states of Oregon, Washington, Idaho, and Alaska constitute federal Region Ten. For spills on the Washington and Oregon coast, the Coast Guard chairs the Regional Response Team; EPA heads it otherwise. The Regional Response Team consists of representatives from both Federal and State agencies such as the Oregon Department of Environmental Quality and the Washington Department of Ecology. When activated, as in the case of the *Blue Magpie*, the The Regional Response Team carries out duties similar to those I have just described for the National Response Team. That is, it coordinates information, help, and resources to assist the on-scene personnel.

The On-Scene Coordinator is the single federal official responsible for initiating and directing response actions. EPA is the On-Scene Coordinator for inland spills, and the Coast Guard for coastal spills. Upon notification, the On-Scene Coordinator, or his representative, proceeds to the spill site. He determines who is responsible for the cleanup and then judges whether the responsible party is taking effective recovery action. The On-Scene Coordinator also determines if federal cleanup action is necessary.

If the spiller is conducting the cleanup properly, the role of the On-Scene Coordinator is essentially one of monitoring and of offering advice. If the spiller is not conducting a proper cleanup, the On-Scene Coordinator explains what is wrong and how to correct it. If the situation doesn't improve, a federal response is undertaken. The On-Scene Coordinator can also initiate a federal response if the spiller is unknown or if the spiller is unable to conduct a cleanup, as was the case with the owners of the M/V *Blue Magpie*. Commercial cleanup contractors are used to remove or mitigate spills whenever those forces possess the needed capability and can respond in a timely manner. Additional help may come from Federal, State, and local agencies and the academic community through the Regional Response Team. Such assistance ranges from personnel and equipment to scientific support such as the Scientific Support Coordinator provided by NOAA.

For response to large spills the Coast Guard maintains specially trained teams. The National Strike Force, formed in 1973, consists of three strike teams: Gulf, Atlantic, and Pacific. Each team is composed of about 20 Coast Guardsmen. These teams are the primary Coast Guard technical response organizations for oil and hazardous substance spills. The teams are highly trained and have expertise in damage control methods, use and deployment of special pollution equipment, diving, removal techniques, and communications.

The National Strike Force maintains a state of readiness that enables a minimum of four personnel to be underway to the scene of an incident within two hours of notification, with augmentation of up to twelve personnel within six hours. The team's operational equipment is ready for deployment aboard C-130 aircraft within four hours of notification. It was men and equipment from the Pacific Strike Team that supported the Captain of the Port Portland's On-Scene Coordinator during the *Blue Magpie* spill.

To maintain a high level of pollution response preparedness, the Coast Guard conducts frequent drills. These drills present realistic opportunities to exercise our plans and personnel. The entire response community (Federal, State, and local) can participate. Following the drills there is a debrief which allows the response community to evaluate their efforts in preparation for the real thing. A major spill drill was conducted in March 1983 for the Captain of the Port Portland. Eight months later the *Blue Magpie* incident occurred.

To conclude, all elements were in place on Saturday evening, November 19, when the *Blue Magpie* struck Yaquina's North Jetty. Contingency plans were ready and response personnel trained and on duty. These personnel included not only my own Coast Guard forces, but also the many equally dedicated people from fellow Federal,

state, and local response agencies. In my judgment, the entire operation, from the rescue to the cleanup, was a credit to all involved. One of those most closely involved with those in the trenches was the Federal On-Scene Coordinator. On November 19, Commander DAVIS was the Acting Captain of the Port, Portland and thus became the Federal On-Scene Coordinator for the *Blue Magpie* oil spill incident. I would be pleased to answer any questions you have Mr. Chairman, or if you wish, Commander Davis and Senior Chief Garrison can give their statements and we can respond at the conclusion of the Coast Guard presentation.

The CHAIRMAN. Now let's take Roland Miller from the Environmental Emergency Services Division of Riedel International.

Hold on just a second until we get rid of this, will you?

OK, Mr. Miller. Thank you.

STATEMENT OF ROLAND MILLER, ENVIRONMENTAL EMERGENCY SERVICES DIVISION, RIEDEL INTERNATIONAL, PORTLAND, OREG.

Mr. MILLER. Good morning. Thank you, Mr. Chairman, for the opportunity of a member of industry to testify before the committee.

Environmental Emergency Services, a division of Riedel International, was called the evening of November 18 approximately 10:40 in the evening, by the Coast Guard Marine Safety Office, Portland, Oreg., and notified that the motor vessel *Blue Magpie* had grounded on the north jetty of Yaquina Bay.

We were to prepare to respond to Newport, Oreg. with men and equipment to assist in the cleanup of the oil spilling from the vessel into the bay and on the shoreline.

Under the terms of a prenegotiated basic ordering agreement with the 13th Coast Guard District, Environmental Emergency Services was tasked to respond to the spill with an initial response manager, a cleanup response team, boats and equipment.

This initial response team departed Portland, Oreg., at 3 a.m. by vehicle for Newport, Oreg. And was instructed to be on scene by first light.

The response team arrived at Newport, Oreg., at 6:15 a.m., launched a 28 foot fast response boat, and at first light, with Coast Guard personnel on board the vessel, toured the bay to evaluate the extent and spread of the oil within the tidal zone.

Following the evaluation, Environmental Emergency Services was directed to boom areas BM1, BM4, BM7, BM8 and BM11, in accordance with the protection plan for Yaquina Bay, which is reflected in chart 2 of the resource protection plan.

This was the initial work carried out during the day of November 19.

During the night of November 19 and the early morning hours of November 20, the Environmental Emergency Services maintained boom watches, accompanied by Coast Guard personnel. In addition, other cleanup resources and personnel were being brought to Newport to assist in the cleanup operations.

The Coast Guard cleanup manager assigned cleanup responsibility, with environmental Emergency Services being assigned the north side of Yaquina Bay and the North Beach area.

Initially the cleanup plan called for removal of the oil from the North Beach and the boat basin in and around the undersea garden and wharf area. With the winter crab season due to open, it

was necessary to clean this area to allow fishing vessels free access to the area.

As the cleanup progressed, crews were moved along the shoreline up the north side of the bay, cleaning beaches, marinas, and eventually completing the cleanup in the Salley Bend area.

With large volumes of oily material and oil-soaked debris being collected, a method of disposal had to be initiated which could rapidly handle the material. Georgia Pacific provided a method of disposal of material not containing sand. This method was to shred the material and blend it into their hog fuel pile for burning. This was a very cost-saving and effective method of disposing of large material and oily debris.

The second method was to landfill the material at a site approved by the State of Oregon DEQ and the Oregon Department of Transportation at a site in Lincoln County.

Following the completion of cleanup on December 1, 1983, Environmental Emergency Services was called back to Newport on December 5 and 6, and December 19 through 21, to clean the beach area under the Highway 101 bridge west of the south marina, and to burn the oil contaminated material on the North Beach.

Throughout the course of the cleanup, Environmental Emergency Services worked under the direction of the U.S. Coast Guard Marine Safety Office, Portland, Oreg.

A total of 16 full-time Environmental Emergency Services employees and 73 local employees worked a total of 2,905 man-hours in cleaning beaches, shoreline docks, marinas, rock breakwaters, mobilizing equipment, deploying boom, burning oil-soaked debris and material, and disposing of oily materials.

A total of 2,300 feet of oil containment boom was deployed on this spill. One large 28 foot fast response vessel, one Marco Class II skimmer, and 10 small boats, vehicles, hand tools portable radios and miscellaneous supplies were used on the spill.

The overall coordination of the spill by the Coast Guard Marine Safety Office, Portland, Oreg., and the U.S. Coast Guard strike team, the Oregon DEQ, and others at the scene were very well organized and extremely effective.

The weather conditions throughout the duration of the spill hampered the cleanup and gave assistance in moving the oil offshore and preventing more shoreline comtamination.

The cooperation of the Newport, Oreg. people in providing many needed items was a great help to the overall spill operation.

The CHAIRMAN. Tell me a little bit about Environmental Emergency Services. I know Riedel International, but I'm not as familiar with this particular division of it as the rest of the company.

Mr. MILLER. Yes, sir, Environmental Emergency Services was formed in the 1970's, basically as an in-house cleanup capability.

The CHAIRMAN. Basically designed as in-house?

Mr. MILLER. In-house.

The CHAIRMAN. Basically designed as in-house for Riedel International.

Mr. MILLER. When the first pollution laws were enacted, Riedel had to have it because of the tug and barge rules. And since then has developed a capability that covers the whole Western United

States. A spill response system, not only for oil but now in hazardous material.

The CHAIRMAN. Do you work on a contract basis, on a job basis with the Coast Guard, are you on a retainer for them, or what's the relationship?

Mr. MILLER. No retainer. We—work on a contractural basis, where—each year an annual bid, or—a bid order agreement is put out. And we put in a fixed bid price on the bid.

And we were not only operating under that program for the 13th Coast Guard District; we also do the same for the 12th Coast Guard District, and we're a member of the Navy ESSM program, which encompasses worldwide cleanup throughout their system, and they have a tremendous amount of equipment in stock in California.

The CHAIRMAN. Now let me make sure I understand you. You submit an annual bid, and you take your chances that there may or may not be a fair amount of work that you do, but you are stuck with the bid price for the year no matter how much work?

Mr. MILLER. That's correct.

The CHAIRMAN. So you're taking a fair risk. You're taking a fair risk and saving the government probably a lot of money in this sense.

You get one major spill beyond what I guess an insurance person would call actuary likelihood, and then you've got yourself deeply in debt, probably over the cost of your annual contract.

Mr. MILLER. That could be true, Mr. Chairman.

The CHAIRMAN. In which case Mr. Riedel would speak to you.

Mr. MILLER. Yes, he would.

The CHAIRMAN. I know Art very well. I'm sure he'd speak to you.

Are you prepared to face all different kinds of oil—some of them float and some of them sink, and you've got to handle them all, or be prepared to, is that correct?

Mr. MILLER. Yes. Yes, sir, Mr. Chairman, we do, and in the case of the oil situation that we had here in Yaquina Bay, because of the heavy bunker C, in the later days of the spill, with the light ends evaporating off the oil, we had a sinking situation, such as what happened under the bridge.

And whereas other oils will readily float on water and can be collected, you will find even today that there probably is some oil which has sank, or is buried in the sand from this type of situation.

The CHAIRMAN. I have no other questions. Again, congratulations. I've seldom run across any combined civilian and military—call the Coast Guard military—project where the cooperation has been so extraoridinary from everyone that was involved with it.

It seems that you've totally satisfied your part of it. Congratulations.

Mr. MILLER. Thank you, sir. I think it was a very good operation. And I think that the Marine Safety Office, Portland personnel, their training and preparedness really showed in this job. That they were ready for it and it was a tremendous job.

The CHAIRMAN. Thank you.

Mr. MILLER. Thank you, Mr. Chairman.

The CHAIRMAN. Now let's take Mayor Brenneman and Jack Palmer, the manager of the Port of Newport. Thank you very much.

STATEMENT OF DR. JOHN BRENNEMAN, MAYOR, CITY OF NEWPORT, OREG.; AND JACK PALMER, MANAGER, PORT OF NEWPORT

Mr. BRENNEMAN. Thank you very much, Senator, and I appreciate the opportunity of you working me in, and my comments will be brief.

The CHAIRMAN. Happy to do it.

Mr. BRENNEMAN. The city of Newport recently received an unexpected and, as it turned out, unwelcome visitor—the *Blue Magpie,* a freighter that ran aground upon the north jetty to Yaquina Bay, causing a significant oilspill.

The city was very fortunate in having the Coast Guard here, both those men stationed here and the special strike team, immediately respond, saving the lives of the crew and mounting a quick cleanup campaign that all but eliminated the oil threat.

We want to thank all of those involved, and have nothing but praise for those who assisted in this matter.

The professionalism of the Coast Guard, and the excellent working relationship between our emergency services people and the Coast Guard helped to keep this situation manageable.

Unfortunately, this incident did point out what we in Lincoln County perceive as a serious omission from our local Coast Guard capability, and that is, a permanently stationed helicopter facility here that can respond to emergencies.

Fortunately, shipwrecks on the jetties are quite infrequent, but unfortunately, commercial and recreational fishing accidents are not.

The Coast Guard station here receives between 300 and 600 calls per year for assistance, and lives of Newport-based fishermen are taken by the sea every year.

Because of the 1-hour response time from North Bend or Astoria, the residents of Lincoln County have long been of the opinion that a locally based helicopter could make the difference between life and death for Lincoln County fishermen.

On behalf of the city council of the city of Newport, we are offering to the Coast Guard the donation of adequate land at the Newport Municipal Airport for basing an air station.

The city has been actively working on improvements to our airport to increase its all-weather capabilities. We pay for intensive weather reporting under the SAWRES weather program.

The city has lengthened the main runway, which is now 5,400 feet in length, has installed a medium intensity lighting system, and overlaid the main runway to allow a 6,500 pound dual wheel load on a regular basis, and a 125,000 pound aircraft on an infrequent basis.

We are currently building a new terminal area, and are being considered by FAA for siting of the Oregon Automated Flight Service Station.

The FAA has installed a new VASI—that's visual aid slope indicator—here, and has just finished upgrading the VORTACAN, which is very high frequency onmidirectional range and tactical air navigation—to a totally electronic navigational, directional signal.

All in all, during the last 3 years, the city of Newport and the FAA have spent about $2,250,000 on improvements here, and we are planning to spend another $1.5-$2 million in the next 4 years for additional improvements.

With the above improvements, and our commitment to the Coast Guard, we feel that Newport would be an ideal place to locate a Coast Guard helicopter.

Thank you very much.

The CHAIRMAN. Let me say one thing before Jack testifies. Because I do have jurisdiction over the Coast Guard's budget in the Commerce Committee.

In the past, I've been successful in getting slightly more money allocated for the Coast Guard than the President has asked for in his budget requests.

Of course, you're always in the dilemma, as a Member of Congress, between those who say cut, cut, cut, and those who say, gee, we need more money for the Coast Guard so we can have more helicopters and bases.

The Coast Guard has done reasonably well on capital equipment from their budget during the last few years. When we started in the Senate, we had no helicopter in North Bend, and we gradually got some there.

Clearly the quantity of traffic that you've got here, and expect in recreational boating, would justify a helicopter here. And I hope that I can continue to be successful in increasing the budget, and we may get one.

But there is a limit to how much I can ask for. As I explained yesterday in the hearing, and as Admiral Parker, and Admiral Gacy as Commandant of the Coast Guard, know well, at some stage if I increase the Coast Guard's budget more than the President will accept, he will veto it, and at that stage the debate does not come between how much he wants and how much I want; it's between nothing and how much he wants.

And so, if he wanted a $100, and I asked a $150, and he vetoed it, we'd get the $100. If I asked for $110 he might not veto it, and so it is slow and incremental; but clearly this port is large, it is well managed.

Mr. BRENNEMAN. I just wanted you to know that the city is here to cooperate in any manner, and the property is there at the airport for you.

The CHAIRMAN. Thank you. Jack, go ahead.

Mr. PALMER. Good morning. Thank you, sir. I have some testimony regarding the oil spill, and I also have some comments on NSAR.

Immediately following the accidental grounding of the motor vessel *Blue Magpie* on the north jetty of the entrance to Yaquina Bay, I was notified and proceeded to the Coast Guard station. Whatever resources of the port were to be needed were placed at the disposal of the Coast Guard.

Chief Garrison appeared to be in excellent control of the situation, with the several local officials, previously mentioned, charged with public safety in attendance.

The port offered its assistance and supported the recommendation that the harbor be closed, which Chief Garrison passed on to the Portland office at that time.

We offered our personnel if required, and proceeded to the port offices to get the recently published Yaquina Bay Oilspill Plan, which was useful in quickly identifying the procedures that would be initiated upon the arrival of the contractor Environmental Services.

We suggested that the local customs officer, Mr. Rose, be contacted to insure the appropriate measures regarding aliens arriving in the United States under abnormal circumstances.

Beyond that, the port merely assisted by using its personnel in an effort to free others to do the cleanup and public safety functions.

The port did, by ordinance, close the north jetty to visitors, for people's own safety. Prior to that time, Senator, there was no provision for law enforcement agencies to make people get off the jetty, and it was very dangerous.

The only suggestion that we would offer is that the size of the harbor is such that the amount of protectable features needed prioritizing, as it is illogical to presume that sufficient equipment, such as oil spill booms and collars, would be available nearby to cordon off the whole bay.

This addresses, to some extent, the Senator's previous questions. Which is what we did initially during the morning following the wreck, and it worked quite well.

We sat down, identified those that we thought were most in need of protection, and some others that we didn't honestly feel were quite as seriously to be impacted were let go.

And then checked with our friends at the Department of Fish and Wildlife. They verified legitimacy in that case.

The cooperation of all the agencies and civilian consultants, along with the Coast Guard personnel, was, as noted previously, truly outstanding.

We did ascertain that the jetty system of our harbor is well laid out to curb the reentry of oil. This is information we've passed on to consulting firms that have since called us asking for informaiton about oil spill plans and preparing for them, even ports on the east coast.

The jetty bearing is such that the wave action pushed that oil onto the outward side of the north jetty. Once it escaped the bay, what did reenter the bay was overtopping the jetty due primarily to the noted storm conditions and extremely high waves.

The CHAIRMAN. Overtopping. It was literally coming over the jetty?

Mr. PALMER. Yes, sir. It was actually being blasted over the top of the jetty. In fact, it was that same action that caused us to be concerned with people's safety.

And should a spill occur within the bay, in this case, of course it was at the very entrance, tidal action removal of the substance would be complemented by the jetty limiting reentry.

I would note that the wreck occurred on an incoming tide, and we had approximately 2 hours of incoming tide before the actual

oil would be cleansed from the bay by tide action. Once it got back out, it couldn't get back in because of the jetty configuration.

Regarding the search and rescue center, Yaquina Bay is known as a particularly safe entrance. Despite *Blue Magpie's* contrary opinion. Which means that in bad weather, the boats are able to transit us, when other bay—other bars may be closed. And previous testimony has verified that two of the major bars were closed at the time the *Blue Magpie* attempted to get in here.

The CHAIRMAN. Which ones, out of curiosity?

Mr. PALMER. Coos Bay and Columbia River.

This has some obvious good. But it carries with it some concern, and—some good and some bad; that bad being that the Coast Guard locally will see those hardy souls crossing in hazardous weather.

They're going to run for Yaquina when bad weather occurs, given a choice between Reedsport and Tillamook and so on, because they know we're going to be open, so that places our Coast Guard on extra vigilance. It means a greater impact on the Yaquina, because the physical closure of other harbors has already precluded their involvement.

Being very ubiquitous, fishing vessels follow the resource, and now are more often following the regulation changes. Thus we see an increase of transients, which is fine for business, both recreational and commercial but it means that the Coast Guard will also see more and more boaters crossing into the harbor that are lacking local experience.

With the deteriorating north jetty, the passage is not only becoming more and more difficult; it changes with each year.

And I would defer to the experts, that you have to run the ranges every year differently; and of course when we have a fishing vessel that hasn't been here for 2 years and comes from the State of Washington or California, he finds substantial changes in the channel because of that deteriorating north jetty.

The port is reporting an increase in shipping, so that the bar may be increased to the needed 45 foot depth. This year it was dredged to 42 feet, maintained at 40, and it has deteriorated at this time to 45 feet, which is less than it deteriorated before this year; but this dramatically shows a need for dredging it deeper which will reduce bar limitations or closures.

In the past—5 or 6 years, ago, during those periods of time, you—you very seldom saw that bar closed. Recently, we're seeing it closed geometrically increasing each year, because of the deterioration of the north jetty, and the impact on the bar, or lesser dredging and so on.

Naturally, the depth of the bar will provide a greater resource for the Oregon shippers, not only in greater flexibility of shipping, but from a mere safety factor.

Once the damage of the north jetty is repaired to its original congressional authorized configuration, annual dredging costs will lower along with the increase in boat and ship safety.

With approximately 2,000 small boat moorages, boat safety is a major factor.

Thank you, sir.

The CHAIRMAN. Do you have a lot of ships bigger than the *Blue Magpie* coming in frequently?

Mr. PALMER. Almost all of the ships have been almost twice the size of the *Blue Magpie.*

This ships' size now, Senator, is approximately one-third larger than when Yaquina was a really active port 10 years ago. We're finding that in the interests of cost efficiency, fuel situations and so on, vessels in the 25 to 28,000 deadweight-ton class are more common, where before we served them in the 17 to 19,000 ton class. Material increases, sir.

The CHAIRMAN. But most of them are able to transit and make it in with no problem?

Mr. PALMER. We have a—basically a size vessel limited by depth. Which limits the size of cargo Oregon exporters can ship and so on.

We have had no difficulties in the past five ships. There has been one ship since the *Blue Magpie* impact on the north jetty. And the size—that size ship was nearly twice the size of the *Blue Magpie.*

The CHAIRMAN. Any adverse effect to the economy because of the *Blue Magpie?*

Mr. PALMER. Initially there was—I say initially, immediately, there were calls from New York, from San Francisco, from British Columbia, from the ships' agents that had ships planning voyages into Yaquina Bay.

As soon as we notified them, Senator, that the nature of the visit of the *Blue Magpie* was such that the result could—was not of our doing, or any problem with the harbor, then they relaxed their concerns.

The CHAIRMAN. They were calling not to see if the *Blue Magpie* was blocking the entrance; they wanted to make sure that you had sufficient management here and you weren't giving false instructions and luring these ships in unjustifiably?

Mr. PALMER. That's very accurate, Senator. Very accurate.

The CHAIRMAN. All right.

Mr. PALMER. And when we informed them that the ship tried to transit a bar in 55-knot winds at night without a pilot on board, and probably without even a chart, they said, "Oh, we think we understand a little better now."

But I sent a copy of the newspaper coverage to the Senator. I don't know if it's gotten there yet. But what I did was, I went to the several newpapers locally and I asked for every extra copy they had, and when somebody would call, I'd immediately fire off a copy of that newspaper, which very accurately described it.

The CHAIRMAN. Well, that turned out to be good for the economy.

Mr. PALMER. Well, we had quite a bit a tourism, too, sir.

The CHAIRMAN. Not the way you intended it to?

Mr. PALMER. No, sir.

The CHAIRMAN. I don't have any more questions, fellows. Thank you very much for coming. I appreciate it.

Now let's move to G. Bruce Sutherland from the Oregon Department of Environmental Quality.

Good morning.

Mr. SUTHERLAND. Good morning, Mr. Chairman.

The CHAIRMAN. Go right ahead.

STATEMENT OF G. BRUCE SUTHERLAND, OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY, REGIONAL OPERATIONS, PORTLAND, OREG.

Mr. SUTHERLAND. My name is Bruce Sutherland, and I'm an aquatic biologist for the department of environmental quality.

For the past 5 years, a part of my work has been involved in oilspill contingency planning; in particular, planning to protect natural resources from the effects of oilspills.

With funding from the coastal energy impact program, administered by the National Oceanic and Atmospheric Administration, we have completed three resource plans to date. The first was the lower Columbia and Willamette Rivers, completed in 1979; the second was Yaquina Bay, completed in 1982; and the third was Coos Bay, completed in 1983.

The impetus for these plans originally occurred as a result of the Toyota Maru spill on the Columbia River in 1978. With the Coast Guard acting as the onscene coordinator for the response, the DEQ and the other natural resource agencies, including the Oregon Department of Fish and Wildlife, U.S. Fish and Wildlife Service, National Marine Fisheries Service, and the Washington Department of Ecology, attempted to deal with the issue of how to protect resources downstream of the spill.

It was quickly discovered that the information was not readily available within the short timeframe needed to respond to a spill in an emergency situation.

As a result, the Coast Guard asked the DEQ as the leading agency for oilspill response for the State of Oregon to identify sensitive natural resources on the lower Columbia and how they might best be protected so that future emergency response action would be better directed.

To this end, we applied to the CEIP for funding, and proceeded to develop a plan for the lower Columbia. The success of that effort led the DEQ to seek further funding for the two major ports on the Oregon coast, Yaquina Bay and Coos Bay.

Each plan contains an extensive narrative describing the sensitive natural and manmade resources, and how physical processes such as seasons, winds, and tidal currents will affect our ability to protect these resources during a spill incident.

Discussions on the potential for spills, probable locations, available response equipment and recommendations for using our response capabilities are included.

The main part of each plan is a series of charts which identifies, prioritizes, and maps all the sensitive natural resources of the three deep-draft water estuaries, and suggests methods for protecting these resources from oilspills so that a fast, coordinated, resource-specific response can be instigated.

Senator Packwood, I'd like to emphasize that a number of benefits can be derived from these reports, but most important is to have a sensitive resource information immediately available for the response team in case of a spill, and to have a prescribed course of action.

The CHAIRMAN. Wait. Let me stop right there.

In essence you're saying you've tried to identify the areas that are most vulnerable?

Mr. SUTHERLAND. That's correct.

The CHAIRMAN. And you've told Jack Palmer, and you've told the Coast Guard, and hopefully everybody who's going to be involved, ahead of time, these are the areas we think are most sensitive?

Mr. SUTHERLAND. That's correct.

The CHAIRMAN. OK.

Mr. SUTHERLAND. So that response team will be able to respond to a prescribed course of action during the initial response.

That's the primary benefit, but there are other benefits, also, to this plan. Such as the fact that the documents can be used as useful background information for estuary planners.

It was the spill in Yaquina Bay, however, which really proved the value of these planning efforts.

At the first report of the spill, all the people involved had a plan in hand, which provided them with an immediate course of action, and detailed information on the sensitive natural resources, physical processes, and the appropriate response. Much valuable time would have been lost during the first few critical hours of activity.

It is our belief, therefore, that such planning is an essential part of our commitment to protecting Oregon's natural environment, and should be extended to other sensitive areas.

That's the end of my testimony. I'd like to thank you for giving me the opportunity to testify. I have copies of Coos Bay and Yaquina Bay plans here if you would like to examine those sometime.

The CHAIRMAN. You get to meet with the Coast Guard ahead of time and go over these plans with them?

Mr. SUTHERLAND. That's correct. It was done—As I said, it was done for them, and during the time of the planning process we met with the Coast Guard and with the other various agencies to make sure that all the interests were being addressed as best as possible.

The CHAIRMAN. I'm curious. Is there ever any debate, when you say you think that areas "A" and "B" ought to be protected, and the local port manager or somebody else says, "Well, we don't think 'B' is all that valuable." Do you get into those kind of debates?

Mr. SUTHERLAND. Well, there was some debate. For instance, we were looking for—at natural resources, and somebody like the port manager might be looking at docks or moorages, for example.

However, after some debate, we went ahead with what we thought was probably the most appropriate response we could do with the kind of equipment that was available.

Again, we emphasized the natural resources, because they're the least likely to be able to be protected without outside help.

The CHAIRMAN. Thank you. I have no other questions.

Mr. SUTHERLAND. Thank you.

The CHAIRMAN. You bet.

Now, let's take Dale Snow and Maureen DeVane.

Good morning.

Mr. SNOW. Good morning.

The CHAIRMAN. Who wants to go first?

Ms. DEVANE. Dale.

STATEMENT OF DALE SNOW, ASSISTANT MARINE REGIONAL SUPERVISOR, OREGON STATE DEPARTMENT OF FISH AND WILDLIFE, NEWPORT, OREG., AND MAUREEN DeVANE, PRESIDENT, NORTHWEST WILDLIFE REHABILITATION CENTER, ROCKAWAY, OREG.

Mr. SNOW. All right. Mr. Chairman, I'm Dale Snow, assistant marine regional supervisor for the Oregon Department of Fish and Wildlife. And I'm here this morning to present testimony on the environmental impact of oil spills.

I do have a prepared statement that I've turned in, with your indulgence, I'll go through what I have here.

The CHAIRMAN. Good.

Mr. SNOW. Oilspills can be broken down into two kinds. One, unrefined crude, and two, refined crude oil.

The unrefined crudes vary in their toxicity, so no two spills are the same. Every well is a little bit different in its amount of toxicity, some being highly toxic, and some being not quite so.

Refined crude, byproducts such as diesel and gasoline, are extremely toxic to fish, shellfish, if they get broken up, and mixed up in the water column.

Our immediate concern on this spill was the 9,000 gallons of diesel reported onboard, because we do have razor clam beds in the immediate area, and we were quite concerned.

Fortunately, it looks like the tides were such that we had little or no effect in this regard.

I've broken down the impacts into three categories. They're all closely related, really. It would be difficult to separate them. The esthetic, physical, and biological.

Esthetically, a beach covered with oil certainly is not a pleasant thing to look at or walk on. And this can be cleaned up, but if the cleanup takes too long, certainly you're going to have an adverse economic impact on the adjacent community.

Biological impacts of oil spills are both immediate and long term. The immediate ones, such as the lighter fuels, when they get onto a razor clam bed, as they did in Washington a few years ago, the clam pumps the oil in, it burns the gills, and death is almost immediate. They lost literally millions of clams at Long Beach in Washington where a ship broke up just offshore.

The most dramatic effect, of course, in an oilspill, and an immediate one, is the effect upon water birds. Just prior to this spill, we had over 5,000 water birds in Yaquina Bay—and when I say water birds, I'm referring to loons, grebes, cormorants, scoters, as well as the water fowl, such as the ducks and geese.

I think the intensity of the storm had driven many of these birds off of the open water, and they were up in protected areas. We were really fortunate in this regard, although we did have a number of birds involved in the oil.

The oil mats the birds's feathers and breaks down their insulation properties, and allows the water to get through to the skin, which immediately drops their body temperature. The bird's response is to clean his feathers and start preening; he eats the oil, and toxicity, results in eventual death if not treated.

Many of our rocky intertidal areas have up to well over 1,000 animals per squire foot. If you get a heavy matting of oil on these, it will smother them to death, or they can die of toxicity.

We did get some intertidal involvement, but not to the degree that we feel we have extreme and long-term damage. A few of the animals involved in these areas would be mussels, barnacles, limpets, antropods, isopods, and other marine invertebrates.

Some of the long-term impacts that are less well known is the weathering of the oil itself.

Recent studies have shown that heavy crude oils while weathering release violatile substances, and in some cases, it has been demonstrated this release of volatiles over a long period of time was affecting the swimming ability of herring larvae.

Now, what the effect on survival of herring larvae will be is not known. But it's something to be looked at.

Oregon State University researchers are theorizing that much of this oil is going to be incorporated in the sand and will be coming out over a long period of time.

Again, this is an area that needs to be looked at, and we don't know what the overall impact will be.

One long-term impact that we are well acquainted with in this area is the fact that many oils are heavier than water, and as pointed out, they go to the bottom; and particularly in February or March the ocean will turn over and bring many of these oils up.

We have frequently been in the situation locally where we had nearly as many birds from this old oil turning over from ships of bygone days when they pumped the bilges at sea, and getting birds involved in a major problem. Which, unfortunately, we're going to have to live with; and I'm afraid the *Blue Magpie* has contributed to the reservoir of oils out there.

Now in summary, I would like to say that with Oregon's winter storms and our rough sea, it's not a matter of whether we will have another oilspill, but a matter of when.

And I would—I would like to see serious consideration given to the establishment of response centers that are capable of both having equipment for oil containment, and for rehabilitation of birds.

In this case, we had the science center, we had to improvise cleanup facilities in laboratories, which were not designed for that type of work.

Our survival was quite good, considering everything, and a lot of this was due to the outstanding work of the many excellent volunteers.

I think the Coast Guard has been doing, and has done, an excellent job. I can't say too much for what they did here.

But I think given more facilities and more equipment, an excellent job could have even been better.

And that completes my testimony, Senator.

The CHAIRMAN. Thank you. Ms. DeVane?

Ms. DEVANE. I'm president of the Northwest Wildlife Rehabilitation Center. And our center was requested by Mr. Dale Snow to send volunteers to Newport on Sunday, November 20, 1983. Only a small group of us were able to proceed to Newport and help with the marine wildlife cleanup.

The center was requested to accept care of the brown pelican, an endangered species, as our trained volunteers were more readily available.

The pelicans were then transported to the center, where the necessary procedures were taken to clean and stabilize the birds.

Mr. Dale Snow and Palmer Sekora, as representatives of the State and Federal wildlife agencies, respectively, gave the center every support possible during this crisis.

In Newport, oiled birds came into the facility in a steady stream. However, volunteers soon ran out of hot water; consequently, birds had to wait until hot water was more readily available.

During the week, other oiled birds were brought into the center in Tillamook. These birds were washed and treated and subsequently taken to the Portland Audubon Society, as our center was already full of pelicans.

Enough can't be said for the many groups and volunteers who came to help. We have been made acutely aware of a great need for more trained volunteers, familiar with washing oiled birds.

We would like to see a half-day workshop established on an annual basis, using film show and slides, and for this to be done in one coastal town in each county along the Oregon coast, and along the Columbia River as far as Portland.

Also, it would be helpful to have large posters illustrated and detailing the washing procedures during such a crisis.

With this type of program, the public would be ready for any oil spill that may arise, and not be totally unprepared.

The CHAIRMAN. That's a very good suggestion.

Ms. DEVANE. Thank you.

The CHAIRMAN. Let me ask you this. What is—I'm a novice at this. What is needed? Because apparently Mr. Snow has indicated that we're going to have additional bird problems, whether from the *Blue Magpie* or from other oil that's been dumped on the bottom and is sitting there. What is literally needed? What would you want in Newport?

You have your half-day training session. What kind of equipment or tanks or hot water or—that's not available to you that you need?

Ms. DEVANE. Well, we do need a large facility, because these birds cannot be put together. We had that problem with the pelicans. They're such a large bird. We do have to have pens to keep them separate.

We need seven different tanks for just one line going through the process of washing.

The CHAIRMAN. Oh, you have different solutions going along?

Ms. DEVANE. Different solutions going along.

And we need, like I said, we need the trained people there. All these people came out of the woodwork to help, but nobody had any idea of how to go about helping, and with just so few of us there that did, it was almost impossible.

The CHAIRMAN. If you had enough local volunteers trained, you could literally have this equipment warehoused in Newport or Coos Bay, or in Astoria; you could move it quickly from place to place where you have a serious problem. You wouldn't need this much equipment day by day for the few birds that get oil on them.

Ms. DEVANE. No. We do get them—this time of the year, especially, they're still coming in. We still get oiled birds from old oil and stuff like that.

The CHAIRMAN. How many?

Ms. DEVANE. Well, we had seven picked up just last night up in Manzanita area from a little bit of oil coming in there, and we don't know what brought the oil in, but it's there.

The CHAIRMAN. Mr. Snow, let me ask you. Any danger to our marine fisheries because of this spill?

Mr. SNOW. I don't anticipate any from this spill particularly.

The CHAIRMAN. I hope not. We've had enough problems with the fisheries anyway.

Mr. SNOW. That's exactly right. Most of the oil has gone—has gone down, and I really don't anticipate any problem with the marine fisheries from it.

There was so little light volatile materials, or lighter materials—these are the ones that give me immediate concern, because they get mixed up in the water. If they get mixed up in the water, you're going to have fish problems.

The CHAIRMAN. Yes. I take it from the tenor of your testimony you think we were lucky as far as any damage to the estuary, where the spill took place, you had the tide changing. It could have been worse.

Mr. SNOW. Yes, you're precisely right. With the number of water fowl present, I had envisioned many more birds than we had coming in.

On the late stage of the tide, it didn't intrude past Coquille Point about 4 miles up the estuary. So, all in all, I think we were extremely lucky.

Plus the fact, we have herring moving into the estuaries now getting ready to spawn. Most of the oil deposits along the rock, are above the area used by the herring. At a different tide stage, it would have been an entirely different picture.

So I feel that nature dealt us a bad blow on one hand, but then on the other hand she helped us out a little bit, too.

The CHAIRMAN. Thank you. I have no more questions. I appreciate it.

Mr. SNOW. Thanks.

The CHAIRMAN. OK. We'll have Jeff Ouderkirk testifying instead of Mr. Jon Christenson.

Mr. OUDERKIRK. I brought Jon along.

The CHAIRMAN. All right.

STATEMENT OF JEFF OUDERKIRK, VICE PRESIDENT, DISTRICT 2, OREGON SHORES CONSERVATION COALITION, NEWPORT, OREG.; AND JON CHRISTENSON

Mr. OUDERKIRK. For the record, my name is Jeff Ouderkirk. I'm a Newport resident, and I'm vice president of the Oregon Shores Conservation Coalition. This is an association of approximately 25 groups dedicated to protection of the unique resources of the Oregon coast.

Board members represent groups ranging in size from 50 to 8,000 members. And the organization was formed by citizens who fought for Oregon's historic beach bill in 1967.

Thank you for the opportunity to testify before the committee.

Senator, first we'd also like to express our deep appreciation to you for your personal interest in ocean and coastal resource conservation and development issues. Few Oregonians know that you are personally responsible for bringing Oregon's oil spill response capabilities up to near state of the art.

In 1978, following the *Toyota Maru* spill of 60,000 gallons crude in the Columbia system, you sponsored legislation for the first comprehensive oilspill cleanup capabilities assessment in Oregon.

The 1978 analysis of the complex Columbia-Willamette system set the stage for the oil spill response planning we now know in Oregon today.

Oil spill response plans now exist for all of the deep draft development estuaries in Oregon—Yaquina Bay, Coos Bay, and the Columbia. The plans are being used as a model for areas in California, Massachusetts, North Carolina, and Florida.

From the shipwreck of the *Blue Magpie* we've learned three things. One, adequate funding must be provided to appropriate levels of government for preplanning and operations. Two, an acknowledged system for local, State and Federal cooperation and resource management is essential. And three, a straightforward method of assessing liability and making compensation to local citizens—excuse me—and governments, local governments, is needed.

Adequate funding must be given to Coast Guard to carry out its responsibilities. We urge the committee to reject cuts to the Coast Guard budget.

For years the Coast Guard has been encouraged to run drill exercises on the Oregon coast, but has been hindered in doing so because of budget limitations.

Our research has found that the Coast Guard budget is too lean. Funding is also needed for State and local agencies to participate actively in the oil spill planning process, and wildlife rehabilitation center formation.

Without a Federal categorical matching grant from section 308 of the Federal Coastal Zoning Management Act, we doubt that the Oregon Department of Environmental Quality would have had financial resources to accomplish the necessary preplan.

It is important that Congress continue to earmark grant programs for States to carry out resource management responsibilities.

There must also be a management strategy for the States, Federal agencies and local governments to set standards and priorities for protection, to identify significant resources, and the potential for development and the likelihood for impacts.

In the case of the *Blue Magpie* spill, the Coast Guard had the lead for cleanup operations. The State and local government through the spill plan set the standards and priorities for the resources protection.

It was the way we think it should be done. The State and loca people know the area, and the Coast Guard knows the technology and has the ability to carry out a command operation.

And we believe that it is important for the Commerce Committee to continue to support and enhance State coastal resource management programs.

It is within the management framework of the Oregon program that the significant resources were identified and funding was available to develop an oilspill response plan. It was the likelihood of development, in Newport's deep draft harbor, that directed a response plan for oilspills to be developed long before it happened.

Thank you for that. Congress must be encouraged—must encourage a cooperative relationship and positive interaction to resolve natural resource issues between Federal, State, and local agencies.

We are very concerned about programs that do not insist upon linkage between Federal, State, and local effects.

Yesterday, the U.S. Supreme Court overruled the lower courts on a 5-to-4 vote, invalidating the rights of coastal States to review Federal offshore oil and gas leases for consistency with local standards.

We think that this is a disastrous decision by the courts, with major implications on the ability to set standards for oilspill cleanup and to assess the impact.

The CHAIRMAN. I might interrupt you right there. I was also the cosponsor of that particular amendment that they invalidated yesterday.

Mr. OUDERKIRK. We understand, sir.

The CHAIRMAN. I have a very particular interest in that.

Mr. OUDERKIRK. And we urge you and the members of the Commerce Committee and Congress to act immediately to restore the rights of States with approved coastal management programs to review Federal oil and gas offshore leases.

At stake is the potential impact of the marine oilspills to the entire coast of the United States, and the ability of local people and State governments to direct Federal decisions for the protection of significant resources, and our coastal fisheries.

Thank you very much, Senator, for the opportunity to testify today.

The CHAIRMAN. Thank you. Jon?

Mr. CHRISTENSON. Me?

The CHAIRMAN. Yes. I don't want you to get up here and not let you say something. Do you have anything?

Mr. CHRISTENSON. Yes, sir, I would like to add something.

Today we've heard some really fine things. Everybody cooperated, and we were fortunate in Yaquina Bay that it worked out well.

However, the technology that exists for oilspill cleanup today is still limited. The oilspill cleanup capability that the Coast Guard rates now is believed to be able to function in 10-foot seas and 20-knot winds. And the weather conditions off of Oregon frequently exceed these capabilities. During the *Blue Magpie* spill seas exceeded 10 feet, and we had 35 knot winds.

We do not have specific oilspill plans for the ocean shore. We have it for the estuaries. They're fine. They're state of the art response systems.

There are no response plans for the use of dispersants. It's an issue that is not addressed in our planning process, and it's an issue that the Coast Guard and our resource agencies have difficulty with.

There's a lack of availability for modified ocean vessels to spray dispersants. There's also a general—well, a very great lack of availability—availability for oceangoing vessels having low-speed towing and maneuvering capabilities to support skimming operations and other ocean recovery systems.

Those are points that I'd like to bring to your attention. We have a coast that is approximately 400 miles long, and that's the distance from New York to Boston. And we've only covered in our planning process and our response system our estuaries.

Thank you.

The CHAIRMAN. Thank you very much. I have no questions. I appreciate it.

Let's conclude with Alex Parks today.

Hello, Alex.

STATEMENT OF ALEX L. PARKS, ATTORNEY, PORTLAND, OREG.

Mr. PARKS. Good morning.

The CHAIRMAN. Are you still selling Jolos, by the way?

Mr. PARKS. No, I went out of the Jolo business.

The CHAIRMAN. I went to Alex's office one day—Jolo was an oriental smoker of some kind that you put meat in, and it works marvelously.

I can't remember why I was at his office, but he must have had 300 cartons of these located in—there was barely room for anybody to sit down in his office, and I wondered if he was going into the retail business out of his office or what.

Mr. PARKS. Well, one of the codevelopers of that unit was Dr. Sam Diack, who founded OMSI in Portland.

The CHAIRMAN. Yes, yes.

Mr. PARKS. It proved to be a losing venture.

The CHAIRMAN. Do you have any left over?

Mr. PARKS. As a matter of fact, I do. I have several of them.

The CHAIRMAN. Go right ahead.

Mr. PARKS. I'm here this morning to speak briefly on the subject of the regulatory laws that apply to oilspills. And I do so with the same diffidence that Admiral Parker expressed, because after all, you were there when these laws were passed, and they appeared for the most part before your committee. So it's like bringing the coals to Newcastle.

But for the benefit of the audience, and very briefly, the present oilspill regulations and laws provide in essence for two penalties, as it were.

The first one, of course, is the monetary penalty for the—whoever the discharger is. In the case of the *Blue Magpie,* of course, it was their owners. And that involves a penalty of up to $5,000.

Now if a polluter fails to notify, then he's liable up to $10,000, as well as possible imprisonment up to a year.

Perhaps the most severe penalty is provided in terms of having to pay for the cleanup. That does pose some problems.

There are, I must say—and I'm sure you're aware of it, Mr. Chairman—there are some lacunae in our regulatory laws. One of the most obvious, I think, is that there's really no inducement for the discharging party to immediately clean up the oil. For practical

reasons, it's often better for him to not clean up. And compel the Coast Guard and the Federal Government to come in.

And some of the reasons for this, of course, are that he is not liable for the cost of the cleanup, as you well know, in four specific instances.

The first of which, of course, is an act of God, an act of war, negligence on the part of the Federal Government, and fourth, the act of a third party.

Most of the insurance policies that cover this kind of liability absolutely preclude the discharger from stepping in immediately to do any work, because if he spends a certain amount of money in immediate containment efforts, then he may be in a position where he cannot recoup that later on.

Now let's take this classical illustration, where the dredge *Oregon* sank in the Portland Harbor. And a considerable quantity of oil was released into the water.

The port was insured under two policies, one of which was issued by the Water Quality Insurance Syndicate, which is a consortium of about 26 major insurance companies in the United States.

The initial word they got about the spill was that it was de minimis and would be taken care of in a matter of 48 hours.

Well, it didn't turn out that way, and somehow or other communications didn't get followed through on, and the port spent about $480,000 to clean up, and the maximum liability under the policy, based upon the gross tonnage of the vessel, was only $350,000.

So, you can readily see that in that particular instance, that not only could the discharger, which happened to be the Port of Portland in this instance, have spent in excess of the statutory limits, which are a $125 per gross ton for inland oil barges and a 150 gross tons with respect to other oil carrying vessels.

So I don't really known what the answer is in term of how to induce the discharger to immediately take action. It might involve the expenditure of maybe only a thousand dollars. May 2,000. But it would stop a much worse spill.

But in the present posture of our regulatory laws, I don't think as a practical matter it will work.

I'd be happy to anwer any questions that you might have.

The CHAIRMAN. Al, you were one of the best maritime lawyers around in this area of oilspill liability. If you were going to have a law, should the law be Federal and preemptive?

Mr. PARKS. Yes. I think this—the courts have repeatedly said, including the U.S. Supreme Court, that they don't wish to preempt the State laws. I think as a matter of policy that's wrong.

The CHAIRMAN. Well, the Court, I think, is just legally deciding, correct?

They don't want to preempt State laws unless we have clearly drafted a law that is totally in conflict, or unless we've said we intend to preempt the State laws.

Mr. PARKS. That's right.

The CHAIRMAN. I think the Court has probably correctly decided.

The issue is really with us. Should we pass a law that invalidates Oregon law, Washington law, California law, and say, "Henceforth this will be the law of oil spills; it will be Federal, it will be uniform"?

Mr. PARKS. I think it certainly has to come, Senator, because where you have State laws that impose higher limits of liability than Federal law, or you have a conficting provision, the poor shipowner, who's having enought hard times as it is, he simply does not know which way to turn.

The insurance industry itself doesn't know what to insure where you have a conflicting State and Federal rule applying, Senator.

The CHAIRMAN. At the moment, how does Oregon law compare with either Washington or California?

Mr. PARKS. Oregon's law follows almost exactly the Federal. It provides also for the four exemptions from liability. The act of God, act of war, act of government and of a third party.

It almost did not pass in Oregon with those exemptions. Fortunatly, the shipowning people were alerted, and they went down and explained to the legislature in Salem that really, the two should harmonize. There should be no discrepancy. So we're in fine shape here in Oregon as far as that's concerned.

The CHAIRMAN. Alex, I have not more questions. Thanks for coming down.

The PARKS. Thank you very much.

The CHAIRMAN. Again, to all of you, thank you very much. And that will conclude our hearing this morning.

[Whereupon, at 11:24 a.m., the committee was recessed, subject to the call of the Chair.]

[The following information was subsequently received for the record:]

COOS-CURRY COUNCIL OF GOVERNMENTS,
North Bend, Oreg., January 11, 1984.

Senator ROBERT PACKWOOD,
Chairman, U.S. Senate Commerce Committee,
Washington, D.C.

DEAR SENATOR PACKWOOD: We commend the leadership of the U.S. Senate Commerce Committe for having this oversight hearing on the U.S. Coast Guard Search and Rescue Services. The future of these Services may have been a grave concern to us for the past two years, but has always been a top priority of our coastal communities.

Our individual ports have presented graphic, dramatic evidence of our ports' reliance on Search and Rescue for protection of our people, our visitors, and our economic well-being. I offer testimony as the chairman of the Southern Oregon Association of Ports, an organization whose formation was the result of our area's concern for protecting Coast Guard services, for promoting Corps of Engineer's projects, and for bringing our ports together into a more unified position. Two years ago, the Coos-Curry Council of Governments formed a Red Flag Committee to take all necessary steps to protect and promote Coast Guard and Corps of Engineers services to our area. The work of the Red Flag Committee led to the closer association of our Southern Oregon ports.

Our ports and our coastal communities view the U.S. Coast Guard as a friend, a good neighbor, and guardian of our lives and property. The presence or absence of Search and Rescue capability often means the difference between use and nonuse of our port facilities, thus substantially effecting our economic viability.

We see the current trend in declining on-site Search and Rescue Services as the result of decreased funding and increased responsibility for the U.S. Coast Guard. As the Service has been assigned greater duties, such as in the area of drug interdiction, and as the equipment of the Services has aged, there have not been commensurate increases in funding as in scheduling of capital replacement. This situation has led to incremental reductions in on-site services to far too many areas. This trend has been quietly devastating to our small ports and to our maritime interests. The reductions have been gradual, the adjustments gradual; but the net effects have been crippling. A harbor without adequate on-site Search and Rescue becomes unsafe. As unsafe conditions bring loss of life and property, the harbor becomes less

attractive to users. Then, the use may decline with related economic decline and less actual use to justify continued or improved Search and Rescue Services.

In order for our coastal economy to recover and improve, our ports must support maritime activities, commercial fisheries, and recreational pursuit. These economic activities cannot survive in a harbor perceived as unsave or demonstrated to be unsafe because of inadequate Search and Rescue capability. To each community depending on a port and its habor for a major part of its economic viability, the costs of decline are felt community-wide.

There is no answer to the situation which will be cheap. Personnel, facilities, and equipment are expensive. Yet, proper attention to the funding needs of the U.S. Coast Guard should be viewed as an investment in our economic well-being—for our communities and for our nation. If we can reverse the trend of incremental reductions in on-site Search and Rescue Services and replace antiquated equipment, we can begin to restore the safety of our harbors and repair the economic base of our ports. The cost of improvement may appear substantial but those costs need to be measured against the full cost and benefit of our economy.

We believe the highest priorities for our area need to be improvements at Bandon and Gold Beach which will also benefit Port Orford. We are also extremely concerned that the capability represented by the Citrus be maintained or improved.

The U.S. Goast Guard is to be commended for the outstanding service provided with limited resources. We want to see their capabilities strengthened so we, too, can be strengthened in our ability to contribute to the welfare and well-being of our communities.

We know the dollar choices are hard, but we believe the Search and Rescue Services are in the best national interest.

Thank you for the opportunity to offer these views at this oversight hearing.

Sincerely,

JOE JAKOVAC,
Chairman, Southern Oregon Association of Ports.

U.S. SENATE,
COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION,
Washington, D.C., February 10, 1984.

Adm. JAMES S. GRACEY,
U.S. Coast Guard, Department of Transportation, Washington, D.C.

DEAR ADMIRAL GRACEY: The Senate Commerce Committee hearings I chaired on the Oregon coast in January were very informative, due in part to the helpful testimony of your people. Oregonians continue to have high opinions of the Coast Guard and have appreciated the excellent service over the years. I was pleased to hear that there are no plans to reduce any Coast Guard services along the coast and would like to share my conclusions with you.

There is and will continue to be pressure on the Coast Guard to increase its commitment of people and equipment along the Southern Oregon coast, even though the level of service is probably adequate for the moment. Several situations discussed at the hearings demonstrate the importance of maintaining the current levels of service with a view towards future increases.

For example, both Gold Beach and Bandon are experiencing temporary conditions impeding usage of these port. At Gold Beach, the Army Corps of Engineers will complete its work on silting and shoaling this summer. At Bandon, the harbor facilities have been virtually shut down for two years, while the port completes its new boat basin. When these projects are completed, I expect that the volume of recreational boaters and commercial fishermen using these ports will increase quite dramatically, even while normal growth continues at the other Oregon coast locations which the Coast Guard now serves.

My conclusion from the hearings is that the Coast Guard must continue at least the present level of service all along the Southern Oregon coast. For this reason, I paticularly appreciate your assurance that there are neither plans nor intentions to reduce the Coast Guard's commitment to any of the ports.

Meanwhile, I will continue to work to increase your funding and resources so that Coast Guard services, particularly search and rescue, can be maintained and improved throughout the country.

Cordially,

BOB PACKWOOD, *Chairman.*

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